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## The Week.

It needs no semi-official outgivings from Washington to show that a crisis is approaching in the relations of the United States and Cuba. That the Administration feels nonplussed at the situation is only another way of saying, what all can see, that the situation is embarrassing. It is particularly awkward for our Government in that its plans and expectations in respect to Cuba have gone sadly awry. Secretary Root and Gen. Wood were confident, in the first place, that the Cuban Constitutional Convention would not be able to agree upon a frame of government for the island; that, if it did, it would be only after infinite delays and bitter wrangling; and that, in any case, a protectorate by the United States, with all sorts of political and trade and military and naval advantages explicitly reserved to us, would be readily accepted by the Cubans. This cheerful and cocksure official optimism now sees itself dashed to the ground. The Cubans have not been an undue time drafting their Constitution, they have not quarrelled, and they have paid no attention whatever to the programme kindly and condescendingly marked out for them by Mr. Root. It is evident that their completed Constitution will be in President McKinley's hands within a week or ten days. What will he do with it? What he said, in his last annual message, that he would do with it, was that he would "transmit it to the Congress." Why he should have said that was felt at the time to be a puzzle. What has Congress to do with the Constitution of a foreign country? The President himself was the one who ordered the Cubans to draw up a Constitution which should be "adequate to secure a stable, orderly, and free government"; what has become of the famous "wisdom of the Executive" if it is not equal to deciding whether the document to be laid before him meets that description?

And how if there is no Congress to which to transmit the plaguy document? Then an extra session will be called for the express purpose, say the wiseacres. That it ought to be called, we agree—that is, if it is necessary for Congress to pass on the Cuban Constitution, which we totally deny. However, the President has said that Congress must, and if it will not or cannot before March 4, then a Congress ought speedily to be assembled that will. We cannot in decency keep the Cubans suspended between heaven and earth for another year.

They have taken every step which we have ordered them to do. They are now, or speedily will be, ready to set up that independent government which we are solemnly bound to grant them. It would look too much like a mockery, like a policy of deliberate exasperation, to say to them now that we were really very sorry, but that they would have to wait a year or two longer until Congress could make up its mind. In dignified silence the Cuban delegates ignore the demand of Gen. Wood, that they should "formulate" what ought to be the relations of the United States and Cuba. That is a matter wholly within the competence of the Cuban republic when fully launched. Our first and only pressing duty is to set up that republic. The President ought to have the mind and courage to do it unaided. If he will not, then Congress must step in and do it at the earliest possible day.

The Administration took two steps on Wednesday week in the carrying out of the nation's pledge to turn over the government of Cuba to its inhabitants. One was the determination to withdraw Major Ladd, the American army officer now on duty as Treasurer of the island, and to turn over the insular finances to the Cuban Secretary of Finance—a most important departure. The other significant action was the order for the further reduction of the garrison of the island by the withdrawal of the Tenth Infantry in February. The reason for the latter action may well be Gen. MacArthur's need of more troops to bridge over the period before the arrival of the new regiments, but its effect will be none the less reassuring, and will be accepted by the Cubans, like the turning over of the finances, as a proof that the United States really means to withdraw from the island. That stocks should have dropped two points in Havana directly, and that certain business men should "consider the cancellation of large orders," need alarm no one. But the merchants who declare that the present uncertainty is killing business have the truth on their side.

Openly and without a blush, the Republican press is preparing to support the Administration in its obvious intention to break our promise to Cuba, and to exhibit the United States to the world as a perjured nation. A convenient summary of our rake's progress in this affair would show the following steps. First, we made a solemn pledge; next, we boasted of it, and called upon mankind to admire us for our unparalleled self-denial; then we resolved in party convention and maintained in a thousand stump speeches that our

pledge should be sacredly kept; after that we began to ask the Cubans what they would give us as a consideration for standing to our word; then, we said it was hard indeed to fulfil such a promise, but, of course, we were going to do it; next, we reasoned that, to be sure, we had promised, but there were many other things to be considered; presently it seemed to be doubtful if we could consistently keep our promise, and questionable if we ought to even if we wanted to. Only one step remained, and that was gallantly taken by the *Times* on Tuesday morning by intimating that we never made a promise to Cuba, and that those who say we did are laboring under a delusion and are really trying to create another "hell" in Cuba which it will cost us a second bloody war to destroy. But this is what our "holy war" has come to—something very like a "holy show"!

In the light of these developments, sympathy is plainly due those reluctant supporters of McKinley for reelection who are now petitioning him to make the same promise to the Filipinos that he made to the Cubans. A very epicure in broken promises would show signs of squeamishness, we should think, at having a Philippine dish offered him before he had fairly got his Cuban dainty down. We do not rate the President a sinner above all men who dwell in Washington—except as his power and responsibility are greater. Senator Frye comes out at this juncture with a charming explanation of his unwillingness to keep faith with Cuba. He was an "original annexationist," he cheerfully observes, and that, of course, absolves him. Other Congressmen and officials are equally cynical. To break our promise to the Cubans and then extend it to the Philippines would be too ghastly an hypocrisy for even our Washington experts in that art. Yet we have made certain promises to the Filipinos, short of independence; and what will the value of our word appear to them to be, even in those minor matters, when they see us coolly preparing to repudiate our pledge to Cuba, made in the most solemn and binding way?

The *Herald* has a telegram from Washington reporting a few words from a speech of Justice Harlan of the Supreme Court, at a banquet of the Loyal Legion in Washington, viz.:

"The fathers of the republic never intended or desired that Congress should have authority, or any power, over any part of the surface of the earth free from the letter and the spirit of the Constitution."

This saying is interpreted as a foretaste

not of the coming decision of the Supreme Court in the Porto Rico case, but of what Justice Harlan, as one of nine members, thinks that it ought to be. Very likely Mr. Harlan has been annoyed by the comments of the press and of some public men on the appointment of his son as Attorney-General of Porto Rico while this case is pending in the court, and has taken an opportunity to make known that his opinions have not been changed by that circumstance. What his opinions were, could hardly have been a matter of doubt to any who had noticed the questions that he put to counsel while the argument was going on. In his present utterance as reported in the *Herald*, he has stated in another way the argument forcibly put by Mr. Carlisle in the Porto Rico tariff case, that the question is not whether the Constitution extends to Porto Rico, but whether it extends to the Executive and Congress of the United States. If it does so extend, they cannot make a tariff discrimination between Porto Rico and New York any more than between New York and Massachusetts.

Early last week we had from the Philippines a petition for civil government from "the Directory of the Federal Party." It assured the Senate and House of Representatives that while all previous Filipino parties had "more or less questioned American sovereignty," the Federal party, which numbered its accessions by thousands, made the "main plank" of its platform the "sovereignty of the United States." It should be said that the text of the petition was so thoroughly and idiomatically American, so free from southern exuberance and rhetoric, that the suspicion of Boston authorship (easy condemnation of the late Filipino petition for independence) has not yet been raised. Still, whether because good news from the Philippines has cheapened from very abundance, or for other reason less apparent, this pronouncement of the leaders of a great party has aroused singularly little enthusiasm in Administration circles. The Senate simply tabled the petition as if it were a private bill, and our neighbor, the *Times*, whose increasing sensitiveness on Philippine matters we note with sympathy, assumed a coldly skeptical attitude. These petitioners asked for the President the powers he was asking for himself. Was this mere coincidence? was the ungentle query. The *Times* would be pleased to know who the signers were, what their standing in the community, how far they represent the party they "direct," and, finally, what the strength and respectability of that party. The *Evening Post* proceeded to tell all about the seven signers. Of the "Directors," four were Filipinos, three of whom are, or have been, in the employ of the Philippine Commission, two were Spaniards, one was an American—he it

was, presumably, who constructed the "platform" and drew up the gratifying "plank."

Gen. Otis, according to the *Chicago Journal*, has committed himself to the independence of the Filipinos at some time, near or remote. In an interview printed by that paper he says: "To my mind the great problem is, how can we get rid of the islands?" He believes that "after a series of years" it will be possible to establish home rule there. "How long it will be before this can be done," he continues, "I am not prepared to say. I think, however, that the sooner it can be done the better for this country," meaning the United States. This is the frankest statement we have had from any one who has held command in the islands since we took possession of them. We wish we could say as much for another statement of the General in the same interview. He says, "The backbone of the rebellion was broken before I left Manila." Gen. Otis left Manila on the 5th of May, 1900. Gen. MacArthur's report of October 1 following covers the intervening time. While noting the change of system adopted by Aguinaldo and his men from regular field service to guerrilla warfare, he says that the new warfare "has demanded more of discipline and as much of valor as was required during the period of regular operations against the concentrated field forces of the insurrection." There is nothing to show that there has been any less backbone since Gen. MacArthur wrote.

Last week the Baptists of Philadelphia condemned the methods by which the friars acquired their Philippine possessions, and protested against the continuance of the relations heretofore existing between the religious orders and our Government. Now the Methodist ministers of that city have adopted, without a dissenting voice, a report which demands not only the expropriation of the friars, but also their "continuous banishment." Their property, the report declares, "they have secured by theft and intimidation from the simple and confiding people." The report demands the absolute separation of the Church from the State, and protests against allowing any Roman Catholic, unless he is a regularly appointed military or civil officer, to announce that he is in any sense a representative of the United States Government. The President may well quake as he reads this manifesto. The Methodists have many votes, and they say clearly what they want. But the Roman Catholics have many votes, and what they want is known without saying; it will be said plainly enough when the time comes. The President will not dare to face the Protestants with a proposal to maintain

the Roman Catholic orders, or to pay them millions of dollars for property "which they have secured by theft and intimidation." He will not dare to enrage the Roman Catholics by taking the other horn of the dilemma. Really, a decision of the Supreme Court adverse to Imperialism might not be altogether unwelcome, as taking the somewhat too vast orb of fate from shoulders that are not Atlantean.

We are glad that our system of "deporting" from Manila people whom we do not like—the latest victim being an American citizen—had some attention paid to it in the Senate on Thursday. Senator Hoar recalled the fact that arbitrary deportation of offending patriots was one of the counts in the American indictment of George III. But we have changed all that. The thing has its main significance, however, in its demonstration of the utter humbug of President McKinley's pretence that the "Bill of Rights"—the first ten amendments of the Constitution—was to be sacredly observed in the Philippines. Who has forgotten the unctious of his instructions to Judge Taft, detailing these bulwarks of personal liberty, and saying that the Philippine Commission must do nothing in contravention of them? Deportation by military order goes ill with "the right of the people to be secure in their persons," no arrests to be made except upon warrants "supported by oath or affirmation," or with the prohibition of holding any person to answer for crime "unless on a presentment or indictment," and with the guarantee of "a speedy and public trial." All these privileges and immunities, upon which the President dwelt so feelingly, are contemptuously brushed aside by Gen. MacArthur, who deports at pleasure whom he will, not stopping even in the case of an American citizen whom he wants to be rid of.

In the week's debate on the Ship-Subsidy Bill another break in the Republican line was disclosed. Senator Perkins of California said that he would never consent to give subsidies to foreign-built ships. "Then," said Senator Frye, "you will kill the bill. If you strike out the provision for foreign ships I will abandon the bill. You will be forty years in getting a merchant marine without it." But if it is so desirable to bring in foreign-built ships, why should the number be limited to six for any company? Why should the privilege of bringing them in be restricted to ships in existence or contracted for on the 1st of January, 1899? Why not give an equal chance to all—owners and buyers? If the aim is to secure a merchant marine under the American flag in the shortest possible time, the best way would be to enable everybody to bring in foreign-built ships—the more



the merrier. Senator Frye's declaration really "lets the cat out of the bag." It discloses the fact that favoritism and private gain are the propelling force behind the bill, for if the real motive were public interest, all American citizens would be given an equal chance. Senator Perkins really dealt the bill a staggering blow when he declared that he would not vote for subsidies for foreign-built ships.

One fact stands forth prominently in the syndicate purchase of a controlling interest in the Southern Pacific Railway: the Union Pacific has now an opportunity to acquire possession of its outlet to San Francisco, and to make one system of its lines from the Missouri River to the coast of California, and in one way or another it is certain to make use of the opportunity. It has been to many people a matter of surprise that the Union Pacific did not move in the same direction in or before 1885, when the Southern Pacific Company astonished Wall Street by its absorption, through long-term lease, of the Central Pacific. The explanation was, however, first, that the owners of the Central Pacific were themselves the backers and projectors of the Southern enterprise, and, second, that the Union Pacific had its own hands full with its Kansas enterprises, and had already had to cut down its dividend rate from 7 per cent. to nothing. If the Central Pacific is to be transferred, directly or indirectly, to the Union Pacific, we should say that the public will receive the benefit. The alliance of these two roads under a common management is natural and reasonable. It involves no question of restricting competition; on the contrary, with a through line in the hands of the competent railway men who now control it, the probability is that economy of transcontinental transportation will be brought to a point where the shipper and passenger will be helped quite as much as the investor. Even with maintenance of firm railway rates as a consequence of the affiliations of Northern, Southern, and Central routes to the Pacific, it must be remembered that the average shipper in recent years has suffered much more from irregularity of rates and sudden changes than from exaction of increased charges.

Although paternalism in government is now in high favor, it is occasionally carried to an extreme which arouses vehement protest. Such is that of the makers and vendors of drugs and medicines against a bill purporting to regulate the practice of medicine, now before the New York Legislature. This benevolent measure proposes to make it a crime for any person not a licensed physician to recommend or advise for the use of any person not a member of

his household "any remedy or agent whatsoever, whether with or without the use of any medicine, drug, instrument, or other appliance, for the treatment, relief, or cure of any wound, fracture, or bodily injury, infirmity, physical or mental, or other defect or disease." The members of the medical profession are, of course, presumptively best qualified to treat our ailments, but the laity will really insist on having something to say in the matter. To forbid all but physicians from applying well-known remedies would lead to most shocking results in cases of wounds and sudden illnesses, and the druggists deserve the support of the community in their action. If the bill is to effect its purpose, it should forbid every one to ask about his neighbor's health, for fear that the display of anxiety might have some disturbing effect on his nerves.

We have received from Major W. C. Gorgas, chief sanitary officer of Havana, a carefully compiled and elaborate report of the vital statistics of that city for the year 1900, which speaks well for the methods of his department. From these official figures it appears that there were 310 deaths from yellow fever in Havana last year, as against 103 in 1899, and 136 in 1898, a substantial increase, despite the improvement in sanitary conditions under American rule. This growth of the death list, which exceeds that reported in 1890 under Spanish rule by two, may partly be attributed to the large immigration, no less than 24,124 foreigners having settled in or passed through Havana in 1900. The real triumph of American methods of governing Havana over the Spanish system is shown by a comparative table of deaths from all diseases from 1890 to 1900. In 1900 the death-rate per thousand, notwithstanding the increase in yellow fever, had sunk to 24.40 from 33.67 in 1899, and 91.03 in 1898, the latter being the highest figures of the decade. Even in normal years of the Spanish rule, such as 1893, the death-rate was as high as 32.01. It must not be overlooked that the population of the city has risen steadily during this period, numbering 250,000 in 1900, or 31,500 more than in 1893, which adds to the impressiveness of Major Gorgas's showing. Whatever may be the outcome of the political situation in Cuba, the work of Major Gorgas and his fellow-officers must remain a large item on the credit side of our account with that island.

When the Powers accepted Count Von Waldersee as their Commander-in-Chief in China, they elected a hard task-master for the Chinese. The plan of evacuation promulgated by him looks like permanent occupation. In the first place, no movement can be made for six weeks on account of the weather.

As China is expected to pay the cost of the occupation, this is so much added to the indemnity. Then the security for the indemnity must be satisfactory. The security will depend very much upon the amount, and, as that has not been fixed, the duration of the stay depends upon the demands of the most exacting of the Powers, which will probably be Germany herself. Moreover, the Chinese Government must give "proof that it is willing and able to maintain peace and order in the province of Pe-chi-li, and to effectually protect missionaries." If this is insisted upon, then the occupation depends upon the nature of the proof that shall be accepted for a future event. If indefinite occupation were desired, no scheme for prolonging it could be more deftly conceived. There seems to be a searching of hearts at Washington in regard to this matter, as though some part of the ravaging and ravishing that have disgraced the Christian name in China might be a blot on our escutcheon. Undoubtedly we must bear some share of this hideous outbreak of savagery and lust, although not a large share by comparison with others. It is large enough, however, to justify us in withdrawing from partnership with Waldersee, and in avoiding such joint occupations and complications hereafter.

When Chancellor von Bülow promised the Agrarians of the Prussian Chamber "protection against foreign products," it was clear that the Ministry was committed to a tariff war in behalf of German food-stuffs. The promise was repeated in more definite form by the Minister of Finance at the meeting of the Reichstag. There is perhaps a double purpose in this policy. The Chancellor, by admitting the fact of Agrarian distress and promising relief, hopes to bind more closely to himself the most doggedly persistent of all the German parties. This aid he may yet need against the Social Democrats, who gain in numbers and political weight. On the other hand, the great revenues which the new tariff is to bring in will be useful to a Chancellor with a vast project of naval expansion to carry out. The immediate interest of the situation for us is that the increased duties on our grain and other food products are sure to cripple our trade with Germany. We have ourselves, or rather our Senate, to blame for it. For more than a year the Senate has refused to take the reciprocity treaty negotiated by Commissioner Kasson out of its pigeonhole. If that were now in force, as it should be, we should be assured of a similarly favorable arrangement when the new German tariff is enacted. As it is, when our farmers and meat-packers find the shoe pinches, the State Department must negotiate *de novo*. And why should it hasten to throw another treaty to the Senators?

## CHIEF-JUSTICE JOHN MARSHALL.

On the fourth day of February, 1801, John Marshall sat for the first time as Chief Justice of the Supreme Court of the United States. It was the day on which that court first sat at Washington as the seat of the national Government. The circumstances under which Marshall took office were remarkable and unpropitious. The conflict between the Federal and Republican parties had become envenomed to the last degree, and the defeat of the Federalists (with whom Marshall had acted) in the elections of 1800, drove them to desperate measures to retain power. The Administration spent its expiring days in filling the offices with its partisans. One of the last acts of Congress, in February, 1801, was to rearrange the judicial districts and to establish separate circuit courts. This act gave to President Adams the appointment of sixteen new judges, and he signed and delivered their commissions on the eve of his departure from office. The new officers were derisively styled "the Midnight Judges," and it was not to be expected from the bitter Republicans and Jacobins of that day—nor, indeed, from human nature itself—that such an attempt to perpetuate a policy of government condemned at the polls should be submitted to without a struggle.

After a fierce debate in Congress, the act creating the new circuit courts was repealed, and, in order to prevent the interference of the Supreme Court, Congress suspended the sessions of that body for nearly fourteen months, by abolishing the August term. The new President, Jefferson, hated the Federalists generally and Marshall particularly. Long after he had retired to private life he described the judiciary of the United States as a "subtle corps of sappers and miners constantly working underground to undermine the foundations of our confederated fabric," and Marshall as "a crafty chief judge who sophisticates the law to his mind by the turn of his own reasoning." No appointment could have been more offensive to Jefferson than that of Marshall, and, with a President personally and politically hostile, and a Congress in full sympathy with him, it was evident that the position of the Supreme Court was extremely perilous. Its independence, if not its existence, was threatened, and it is hardly too much to say that it was rescued by the indomitable determination, the powerful logic, and the practical statesmanship of John Marshall.

Every application of power requires a *pou sto*, and this was opportunely provided by the failure of the impeachment of Justice Chase. The managers of the proceeding were compelled to admit that the "high crimes and misdemeanors" of the Constitution

meant indictable offences, and this effectually barred Congress from displacing judges who had once taken office. Had the impeachment resulted otherwise, the Supreme Court would have practically ceased to be a part of the Government, and even John Marshall, had he not been impeached, would have been unable to do more than make it a dignified court of law. When the impeachment failed, John Randolph, in a fury, proposed to amend the Constitution by making the judges removable on the joint address of the houses of Congress; but it was even then known that amending the Constitution was a slow and difficult process, and the motion failed. Its failure enabled Marshall to put a construction on the Constitution which could not be changed after his long reign was over, and which had indeed by that time come to be generally satisfactory.

Far from being daunted by the rage of his adversaries, Marshall forced the fighting. He went out of his way to find an issue, for the doctrine in the great case of *Marbury* against Madison is obiter. President Adams had nominated *Marbury* to an office, the Senate had confirmed him, his commission had been made out, signed by the President, and sealed with the seal of the United States. But it had not been delivered when Jefferson came into office, and he would not deliver it. *Marbury* applied to the Supreme Court for relief, which Marshall was obliged to deny on technical grounds, and this was properly all there was in the case. But Marshall took the opportunity to state his view of the powers of the Supreme Court, and his opinion established the doctrine that our Government is one of limited powers. It affirmed the power and the right of the Supreme Court to declare null and void any act of Congress which the court held to be in contravention of the Constitution. This decision made our Government one of laws, and not of men. Any other view would have established the principle, then maintained, and now, after the lapse of a century, reasserted, that Congress need not regard the letter of the Constitution, but might legislate according to its discretion, if it professed righteous purposes. Such a principle makes waste paper of the Constitution. Marshall exposed it in a few pregnant sentences:

"The powers of the Legislature are defined and limited; and that those limits may not be mistaken or forgotten, the Constitution is written. To what purpose are powers limited, and to what purpose is that limitation committed to writing, if these limits may, at any time, be passed by those intended to be restrained? The distinction between a government with limited and unlimited powers is abolished if those limits do not confine the persons on whom they are imposed, and if acts prohibited and acts allowed are of equal obligation. . . . The Constitution is either a superior paramount law, unchangeable by ordinary means, or it is on a level with ordinary legislative acts, and, like other acts, is alterable when the Legislature shall please to alter it. If the former part of the alternative be true, then

a legislative act contrary to the Constitution is not law; if the latter part be true, then written Constitutions are absurd attempts, on the part of the people, to limit a power in its own nature illimitable. . . . If an act of the Legislature repugnant to the Constitution is void, does it, notwithstanding its invalidity, bind the courts, and oblige them to give it effect? . . . This would be to overthrow in fact what was established in theory. . . . It is emphatically the province and duty of the judicial department to say what the law is. . . . If a law be in opposition to the Constitution; if both the law and the Constitution apply to a particular case, so that the Court must either decide that case conformably to the law, disregarding the Constitution, or conformably to the Constitution, disregarding the law—the Court must determine which of these conflicting rules governs the case. This is of the very essence of judicial duty."

To recognize and establish this principle was the work of a great statesman; to develop and apply it as occasion required in the operation of a new form of government was the work of a great lawyer. Gradually the salutary and conservative character of this principle emerged clearly from the smoke of party conflicts. Marshall was a Federalist; but the Republicans saw that he was one only within the limits of the Constitution, and the Federalists found that he would not transcend these limits. Partisan fury ceased to rage against the Supreme Court; and its power of veto, greater than that of the Executive, came to be respected. Party questions were limited, by the exclusion of all plans and measures not clearly within the Constitution, to the ordinary subjects of legislation and administration. Schemes and policies that have racked and wrecked many Governments, simply could not, under our system, become the subject of popular agitation. It was a magnificent achievement to give to this American Empire, as Marshall was the first to call it, peace and freedom from political controversies concerning the fundamental institutions upon the permanent preservation of which the happiness of any people depends; to suppress appeals to prejudice, to passion, to impulse, by compelling the submission of legislation and governmental policy to the tribunal of reason, interpreting a body of written principles and knowing no other authority. Only lawyers can understand what the great Chief Justice accomplished in making the Supreme Court a court of law; but every citizen should learn what we owe to him for making it one of the coördinate powers of the general Government. The Constitution declared the rights and liberties of the people; but John Marshall transformed the Constitution from a scroll of parchment into a vital force.

## MARK TWAIN ON M'KINLEY.

We have already expressed our gratitude for the great service which Mr. Twain has rendered his countrymen, since returning to America, by admin-



istering to them large doses of wholesome truth in the form of satire. At first, his very victims shook with laughter. It was only Mark's admirable fooling, you know. But when his shafts began to pierce even the thick hide of our complacent Imperialists, they lost interest in the great American humorist. They had laughed gleefully, and slapped each other on the back, when he impaled Tammany on the lance of his irony; but the moment he began to let the sawdust out of their Imperial doll, they wondered at his poor taste, and feared his wit was growing dull. Anyhow, it was only after-dinner nonsense of his, which he himself would soon be ashamed of.

But Mr. Clemens returns to the attack in greater force than ever in the February *North American*. His satirical weapons never were keener, or played about the heads of Imperialists with a more merciless swish. In one long burst of sarcasm he exposes the weariful hypocrisy of the American policy in the Philippines, and covers it with ridicule mountain-high. Mark Twain was never a respecter of persons, and in this grim satire of his he flies straight at the highest. It is President McKinley whom he finds to have been playing "the European game, the Chamberlain game," when "the Philippine temptation" proved too strong—not only playing it, but playing it badly. Of the President's noble utterance about "criminal aggression," Mark says cruelly: "The memory of that fine saying will be outlived by the remembrance of no act of his but one—that he forgot it within the twelvemonth, and its honorable gospel along with it." Another dart of the satirist's, levelled at the same devoted head, is Mr. Twain's description of "the Trinity of our national gods," each with "the emblem of his service"—Washington, the sword of the Liberator; Lincoln, the Slave's Broken Chains; "The Master," the Chains Repaired. This is flat *à la* McKinley, in our humble opinion.

For theme and title of his delicious though biting satire, Mr. Clemens chose "The Person Sitting in Darkness." He rightly divined that benighted heathen, for whose good and goods we are making such great exertions, must be puzzled at our strange mixture of greed and godliness. Our satirist's aim is to explain the mystery. This he does by a long recital of "the historical facts" (Mark Twain being the inimitable historian), winding up with a summary which we cannot refrain from quoting. He kindly expounds the facts to the Sitter in Darkness:

"They look doubtful, but in reality they are not. There have been lies; yes, but they were told in a good cause. We have been treacherous; but that was only in order that real good might come out of apparent evil. True, we have crushed a deceived and confiding people; we have turned against the weak and the friendless who trusted us;

we have stamped out a just and intelligent and well-ordered republic; we have stabbed an ally in the back and slapped the face of a guest; we have bought a Shadow from an enemy that hadn't it to sell; we have robbed a trusting friend of his land and his liberty; we have invited our clean young men to shoulder a discredited musket and do bandit's work under a flag which bandits have been accustomed to fear, not to follow; we have debauched America's honor and blackened her face before the world; but each detail was for the best. We know this. The Head of every State and Sovereignty in Christendom and ninety per cent. of every legislative body in Christendom, including our Congress and our fifty State Legislatures, are members not only of the Church, but also of the Blessings-of-Civilization Trust. This world-girdling accumulation of trained morals, high principles, and justice, cannot do an unright thing, an unfair thing, an ungenerous thing, an unclean thing. It knows what it is about. Give yourself no uneasiness; it is all right."

It is a sure instinct which leads Mr. Clemens to barb his arrows with satire like this. In no other way can you so effectively assail a certain kind of sanctimonious and official humbug. Argument it sheds like rain. Appeals on moral grounds it answers with fresh rolling of the eyes heavenward. But a sarcastic flaying, like Mark Twain's, with a vigorous rubbing of salt on the raw, is the only way to reach a consciousness so deeply cased in fat. "Mr. Dooley" was the earliest to see this, and we hear amusing tales of the wondering amaze produced in the White House intellect by some of his irreverent jests. But Mark Twain easily steps to the front, and shows the youngsters that the *vieux sabreur* is still master of them all. Like another Aretino, it will soon be said of him that no monarch (or President) will dare commit a *sottise* or crime without first taking measures to avert his terrible satire.

The courage which Mr. Clemens has displayed is as great as his skill of pen. Other satirists have wreaked themselves upon the dead. It was in the "Dialogues des Morts" that Cortes and Montezuma were set to discussing the morals of conquest *ad majorem Dei gloriam*, and also *ad majorem hominis pecuniam*. But Mr. Twain has boldly struck the shield of the living. His joking is no joke for its objects. Not counting the risk to his personal popularity, he has let us see the flame of his honest anger burning against shams and cheating in the highest matters of national policy. He is a man to be reckoned with in this business. The ordinary epithets cannot be flung at him. Mark Twain is no bilious, white-livered, wall-eyed hermit of a timid and foreign-aping Little American. He is "entirely American," as Mr. Howells has just affirmed, the strong native product of our great West. He is also a man who looks at this question in world-perspective. He has stood before kings. He is not dazzled by rhetoric about the American Empire. Growth of our soil and travelled observer of other nations, Mark Twain comes home to tell our flaunting Imperialists that he sees through their hy-

poerisies. Tell us what you think of him, champions of Imperialism! Let the blear-eyed professors and the dyspeptic editors off for one day, and give us your honest opinion of this typical and whole-hearted American, who stepped from the pilot-house of a Mississippi steamboat into first a national and then a European fame, and now fearlessly sides with the Filipinos against their American oppressors.

#### CUBAN CASUISTRY.

Grattan once jotted down in his memoranda: "I wrote a reply to George Grenville which I thought very good, for I had taken much care. It touched every point except the question. It kept clear of that." What is the one question in the Cuban business of which the Administration organs are now so carefully keeping clear? It is writ large in the joint resolution of Congress, signed by the President, in April, 1898:

"The United States hereby disclaims any disposition or intention to exercise sovereignty, jurisdiction, or control over said island except for the pacification thereof, and asserts its determination, when that is accomplished, to leave the government and control of the island to its people."

It is that resolution, that solemn deliverance of a nation about to resort to the arbitrament of war, that tacit appeal to Heaven to favor a just cause, upon which all the Republican casuists are breaking their teeth. "Independence," observes one of them sagely, "is, after all, a relative term in the view of international law." If we calmly call Cuba independent, his idea appears to be, she will really be so though we so hedge her about that she cannot exercise a single attribute of sovereignty. But this unabashed defender of broken vows does not observe that Congress went further than the assertion that Cuba ought to be "independent"; it raised one hand to God, as it drew the sword with the other, and said it would not exercise so much as "control" over the island. Control is exceeding broad. It covers and excludes every twist and turn by which the dodging defenders of the Administration have thought to keep the letter of our national promise to the Cubans while shamelessly repudiating its spirit. "Control," in the joint resolution, is a *litera scripta* over which they cannot get with all their squirming.

We hear much, in this connection, about our "responsibilities." Now, our experience is that an Imperialist is always to be most violently suspected when he pulls a long face and begins to talk about his "responsibility." It means that he is thinking of stealing something. One would say that to be responsible for our plighted faith to Cuba was burden enough for the present. "Ah," reply our Imperialist Father Confessors, discussing this case of conscience, "but you

forget the Monroe Doctrine. We promised, it is true, but surely the world understood that we never could promise anything in conflict with the Monroe Doctrine. Besides, there is Germany. Do you suppose she will let the key to the Caribbean lie around unappropriated? And do look before you leap. First be sure that it would be prudent to allow Cuba to be free." Thus our Republican casuists, with a shameful elusiveness rivalling that of Pascal's Monsieur Distinguo. To all which the one direct and sufficient reply is, "You are trying to make us out a nation of liars."

Another desperate winding of the annexationists—for that, of course, is what they are—is to be seen in their grave pretence that the Treaty of Paris somehow superseded the joint resolution of Congress. We assumed treaty obligations in respect to Cuba, the contention is, which we cannot lightly relinquish. This might be maintained by one who had not read the Treaty of Paris, but a child who had really looked at its clauses relating to Cuba would not be able to argue in this way without blushing. Every "obligation" which we took upon ourselves in the Treaty, so far as Cuba is concerned, was expressly limited by article i. to "so long as such occupation shall last," and article xvi. spoke directly of "the termination of such occupancy." If the Commissioners had had the joint resolution before them when they wrote the Treaty, they could not have more carefully conformed to its letter and spirit. Far from overriding or in any way superseding the joint resolution of Congress, the Treaty of Paris confirms it in every respect, and reads as if specifically intended to carry it out.

"But you seem to forget how much money we shall make if we break our promise to Cuba." That is the last bastion of casuistry in which the annexationists and repudiationists take their stand. This is no exaggeration. The New York correspondent of the *Philadelphia Press* set forth on Saturday the "business" view of Cuban independence. To the syndicates, he said, the idea of American withdrawal from Cuba was perfectly preposterous. The Van Horne railway syndicate, shrewdly composed of politicians of both parties, was aghast at the notion. So was the "electric syndicate," and "the large financial interest centring round one of the more important of our trust companies." All these authorities were convinced that the most serious objections, legal and moral, lay against the proposal to turn Cuba over to its own people. And if law and morality fail, there remains always the jingle of the guinea. "If you only knew the size of the check I got for it," complained a man brought to book for a dastardly deed. That last infirmity of ignoble Imperialistic minds is evidently their final reliance in this Cuban scheme.

But, for our part, we decline to debate with them on that ground. If it is a question of morals and national policy and honor, we have something to say; but you cannot, with self-respect, argue with men who confess that they keep their conscience in a bank account.

#### TAMMANY IN HISTORY.

The institution known throughout the civilized world as Tammany Hall well deserves an historian, whom it has now found in the person of Mr. Gustavus Myers. It administers the affairs of the greatest commercial city in the United States, and occasionally extends its control to those of the largest State in the Union. It has made and unmade Presidents, Senators, Congressmen, Governors, Mayors, and Aldermen. It dispenses revenues far greater than those of the Greek Republics which make such a figure in ancient history, and rivalling those of Imperial Rome. It controls more wealth and patronage than dozens of mediæval Kings or scores of modern States. Yet its Constitution is simplicity itself, its accounts can be kept in a pocketbook, and its corporate abode is as plain as a penitentiary. Its charter is very brief, but admirably expressive. It declares the purpose of the association to be "affording relief to the indigent and distressed members of said association, their widows and orphans, and others who may be proper objects of their charity." This purpose has been pursued with indefatigable and comprehensive industry from the time when the charter was granted down to the present moment. The relief provided has been far beyond the wildest dreams of the original founders; but the "indigent members" are as much in need of charity as ever, and are especially appreciative of the kind that suffereth long. As to the means whereby this "relief" was to be provided, the charter was discreetly obscure, and the rule of silence has ever since been as faithfully observed by the members of the order as in the convents of the Trappist monks.

No one could have been more ideally fitted to be the founder of this association than the individual whom Fate selected for that purpose. The name of William Mooney suggests the race that was thereafter to be potent in Tammany, and that still holds sway. This hero, who should have been eponymous, was charged with having deserted from the American army in 1776, and with having joined the British forces—charges which, in the absence of evidence, must be regarded as verified by the requirements of dramatic fitness. By way of furthering the charitable ends of his organization, he had himself appointed Superintendent of the Almshouse, at a salary of \$1,000 and expenses for the support of his family not to exceed \$500.

After a year had expired, an investigating committee—always the evil genius of Tammany Hall—disclosed the fact that Mr. Mooney had appropriated about \$4,000 in addition to his salary, had made away with about \$1,000 worth of city supplies, and had expended various sums under the head of "trifles for Mrs. Mooney." The Grand Sachem was obliged to relinquish his office; but he proved that a true Tammany man is not discouraged by such clouds of adversity. He mysteriously became the owner of a number of houses, and on his death the society which he had founded pronounced a panegyric on his character, and gave him a glorious funeral procession.

That eminent statesman, Aaron Burr, early discovered the political advantages of an organization of this character, and presently became its leader. He thoroughly appreciated the opportunities for relief which it afforded, and when the estate of the lamented Mooney was appraised, a heap of unpaid bills for goods supplied to Mr. Burr was found. What are such little things "betune frinds"? Burr's friend and biographer, Matthew L. Davis, was one of the first of the Grand Sachems, and showed his appreciation of the privileges of that high post by defending the embargo of 1812, and smuggling out flour in violation of its provisions. In recognition of this exemplification of principle, he was reelected Grand Sachem in 1814, and held the office for many years. At this time one of the proclamations of the organization invited the braves to meet, "and recount to each other the deeds of our departed chiefs and warriors in order that it may stimulate us to imitate them in whatever is virtuous and just." Another proclamation, in that fine vein of irony which has always marked the literary products of the organization, exhorted the people to support their equal rights "in opposition to Ambition, Tyranny, to Sophistry and Deception, to Bribery and Corruption," and especially "to an enthusiastic fondness and implicit confidence in their fellow fallible mortals." Mr. Davis, it should be added, cleared \$80,000 from a contract obtained during the patriotic fervor of the war of 1812, to the support of which the members of the organization offered to contribute "their fortunes and sacred honor." This worthy was eventually convicted of participation in swindles involving millions of dollars, but secured a new trial and an acquittal. His name stands high on the Tammany roll of honor.

By the ingenious device of collective buying of real estate, the impecunious members of the organization succeeded in evading the property qualification required of voters. Seventy of them, by hook or by crook, managed to raise enough money to buy a house, and by such means Tammany soon came into control of the city government. One of



its first achievements, small in itself, but full of promise, was to obtain a grant of \$1,000 from the Legislature for the purpose of erecting a monument over the bones of the patriots who had died on the British prison-ships. The monument was not erected, nor the money returned, but the records of the organization do not explain its disposition, and it was doubtless applied to the relief of the indigent. During the year 1809 the organization passed under one of the clouds which have from time to time darkened its prospects. There was a deficit of \$250,000 in the city's accounts. One of the Grand Sachems had taken advantage of his office of City Comptroller to relieve the indigent by conveying to himself valuable land without paying for it—a transaction which aroused unfavorable comment. The dispensing of charitable relief again made trouble for a Sachem, who was removed from the office of Superintendent of the Almshouse for failing to discriminate between his own needs and those of the paupers. Another Sachem was compelled to resign because he became involved in like confusion concerning his fees as Inspector of Bread, and still another made a similar error as collector of assessments. So many cases of this kind were disclosed as to make the public uneasy, and Tammany's control was temporarily weakened. Of course, the braves who were the victims of the popular outcry were nobly sustained by the organization, and honored with high office and in due time with lucrative contracts.

Space would fail us to recount the achievements of Sachem Valentine, who, while Police Magistrate, showed his devotion to the good cause by taking money from prisoners; of Sachem Hubbard, whose accounts as Sheriff were such as to induce him to withdraw from public attention; of Sachem Broome, obliged by a cruel law to relinquish the office of City Clerk, because of "relief" granted at the city's expense to another Sachem; of Sachem Judah and Alderman Deniston, who showed too much appreciation of opportunities connected with lottery drawing to please the public; of Sachem Swartwout, whose spoils amounted to \$1,250,000; of the numbers known by name to people of the present day. The roll of honor is a long one, and Mr. Myers has done admirable work in setting it forth. His book deserves the attention of every citizen of New York; but no publisher has thought it prudent to incur the risk of bringing it out. It may be obtained at the office of the Reform Club, No. 52 William Street, and those who read it will find it one of the most instructive essays in American political history that have ever appeared.

#### LITERARY PIRACY RECONSIDERED.

We recur to the report of the Commissioner of Labor on the results of

the so-called International Copyright Act for the interesting expressions of opinion in response to one of his questions, viz.: Was "piracy," as practised prior to enactment, beneficial or injurious to printers or publishers? Of the seventy answers from publishers, printers, and others, fifty-five are scheduled as favorable and fifteen as "adverse" to the law, but of the fifteen, only six have been willing to record themselves as believing, unqualifiedly, that the former condition of free reprinting was distinctly favorable even to printers and publishers.

Mr. A. L. Burt of New York leads off with the declaration that the reprinting was certainly most beneficial to many branches of manufacture, because it furnished the employees in these branches with a good deal of additional work, now withdrawn because of the law. De Wolfe, Fiske & Co. of Boston think that "piracy" was, generally speaking, undoubtedly favorable to printers and publishers, and this opinion is shared by J. J. Little & Co. of New York, who include bookbinders among the beneficiaries, due to the fact that many publishers reprinted the same book. David McKay of Philadelphia thinks that not only printers, binders, and publishers, but also the reading public, were "undoubtedly" benefited by "what is commonly termed 'piracy'"; he adds, however, that "our moral right to appropriate the work of a foreign author without remuneration is another question." John F. Oltrogge of New York feels that the publisher's liberty, under the law prior to 1891, to publish whatever he chose of foreign matter, without paying the author or publisher any royalty, encouraged him to do so, and "provided more labor to the unemployed than at present." Millions of books were published, prior to 1891, in cheap form, as against thousands now, in the opinion of Street & Smith of New York, and self-evidently this multiplication of separate editions (of which they instance the twenty-two editions of Rider Haggard's 'She'), involving the making of new plates, gave aid to compositors, pressmen, bookbinders, and employees of the printing craft; whereas, in their opinion, "International copyright is directly opposed to these benefits." They add, however, "We have nothing to say as to the ethics of the case."

Among those giving qualified assent to the benefits of piracy are George Barrie & Son of Philadelphia, who think that labor was benefited, but not so greatly as publishers now are under the present law, while P. Blakiston's Son & Company believe the advantages and disadvantages of free reprinting about offset each other, although it is stated that, in the case of this firm, foreign books were imported rather than reprinted, owing to the danger of cheap,

unauthorized reprints being issued. While R. F. Fenno & Co. of New York hold that piracy was beneficial to the printer, pressman, and general public, but not to the publisher, D. C. Heath & Co. of Boston consider that it was advantageous to pressmen and to certain publishers who live on reprints, paying no royalties, but was not of advantage to typesetters or honest publishers who paid authors' royalties. The Publishers' Printing Company, W. B. Saunders of Philadelphia, and the F. A. Stokes Company agree that piracy was beneficial to only a "small class of cheap, or piratical publishers," who, according to the last named, "still find sufficient unprotected material"; and they also hold that printers were not benefited. The American Baptist Publication Society admits that to some printers and publishers piracy was doubtless beneficial, while to publishers like themselves, or to printers employed in similar houses, it was far from beneficial, because it flooded the market with cheap books, and greatly hindered the publication of standard books by American authors. William Wood & Co. consider that the word "piracy" does not give a correct understanding of the acts to which it is applied, and maintain that such reprinting was always beneficial to the laboring class, but not always to publishers; while Henry Carey Baird & Co. hold that the "reprinting of English books not protected by law is no more 'piracy' than is the manufacture and use of processes, tools, and implements no longer protected by patent," and that such republication was of great advantage to printers, binders, paper-makers, and publishers. They further maintain that "every hour the importance of international copyright becomes less and less, as it almost entirely affects the authors and publishers of novels."

This is practically the whole case for the defence of piracy, so far as Commissioner Wright has collected any evidence. Turning to the negative side, there is not only the weight of numbers, but more unanimity of opinion, as well as emphasis. J. Q. Adams & Co. of Boston believe that piracy was, on the whole, injurious to publishers; and the verdict of the American Book Company is that it "never benefited anybody." The Secretary of the Authors' Copyright League does not think that it was ever beneficial to either printers or publishers to engage in the piratical business, although no doubt some grew rich at it; and Mr. Johnson adds, "I think public sentiment has got past considering this aspect of the question." D. Appleton & Co. think that some piratical firms secured large returns, but that in other cases the competition of pirates among themselves proved injurious, and that, on the whole, piracy was probably

not beneficial. In the opinion of Drexel Biddle of Philadelphia piracy was detrimental to printers, in that its keynote was competition in cheapness of manufacture; to publishers, because it allowed unlimited competition in cheap production, which necessitated small returns. The Blakely Printing Company of Philadelphia is of the opinion that it was never permanently beneficial either to printers or publishers. "We should say without a doubt," is the expression of The Burrows Brothers Co. of Cleveland, "that piracy could not have been in any way but detrimental to printers, in that the whole plan was to produce books as cheaply as possible, thereby badly affecting wages, . . . to publishers, from the fact that such simple copying or stealing of published works took out of the business entirely the opportunity of publishing original works and of promoting the literature of our own country." The Century Company does not think that piracy was beneficial to any one. "A system that breeds literary piracy and affords to authors and publishers no protection for the fruits of their intellectual toil, is bad in morals and pernicious in practice," is the verdict of the Cleveland Printing & Publishing Company. The well-known printers De Vinne & Co. say that piracy never benefited any interest, and the competition it provoked brought with it severe penalties. That piracy was beneficial to neither printers nor publishers is the opinion of Funk & Wagnalls Co., Henry Holt & Co., George W. Jacobs & Co., Kesler-Kirkpatrick Manufacturing Co., and the S. S. McClure Co. Houghton, Mifflin & Co. think the present order of things far better than the former, as "honesty is always better than dishonesty." Lee & Shepard never considered piracy beneficial to anybody, and the J. B. Lippincott Co. states that, generally speaking, it was not profitable, in many cases decidedly the reverse, and certainly injurious to the publishing trade in general, and doubts if it ever was of advantage to printers. The Penn Publishing Co. thinks that "pirated books have a tendency to demoralize book dealers and individual buyers," while Rand, McNally & Co. say "it may be true that piracy temporarily increased the volume of business, and thus the work for artisans, but the tendency is ultimately to contract it by calling out excessive competition, and thus causing a constant reduction of profits." D. Van Nostrand Co. think that piracy could not be beneficial, that the conditions of competition between rival "pirates" prevented any substantial business benefits to them, and explain that their views "are based purely upon the moral aspect of the whole matter."

The complete statement of G. P. Putnam's Sons does not readily lend itself to abridgment, but is a most ad-

mirable summing up of the case against piracy, which is held to have been beneficial, and that but measurably so, to only the very cheapest grade of printers, and for a short time to a small group of unscrupulous publishers, who, however, in fierce competition with each other, soon brought their margin of profit down below the safety-point. The case of the reputable American publishers (involving also the best interests of the book-purchasing community) is thus clearly stated:

"American publishers were not in a position to purchase the control of any literary material produced on the other side of the Atlantic, whether the production of such material had been undertaken at their own initiative or not. As a result, American publishers were debarred from entering into contracts with European authors, either directly or through their European publishers, for the production of books which were really required by American readers and students, and which would have proved of service to such readers. It was impossible to pay the compensation required by an author of the first class, and, in addition to such payment, to incur the risk and expense of the production of the book, possibly with illustrations or designs, unless there could be some assurance that, when the investment had been made, the market for the book would be controlled by the investor. Experiments were from time to time made in arranging for books by foreign authors; but whenever such books secured for themselves any preliminary attention with prospect of remunerative sale, unauthorized editions were promptly issued which, being cheaply put together and often incomplete, and which, being free of any burden of payment to the author, and being also in a position to take advantage of the advertising done for the authorized edition, were able to compete effectively with such authorized edition. The unauthorized reprints did not themselves make much profit from such ventures, as, in their close competition with each other, they brought their selling prices down below the margin of safe profit for speculative publications. They were able, however, to prevent the original publishers from securing profit, and in so doing with the books which were thus pirated they naturally discouraged future similar undertakings."

Finally, the effects of the conditions obtaining as regards authors are thus concisely indicated:

"Foreign authors secured at haphazard an uncertain remuneration from their American readers, American authors secured but trifling returns from English readers, and American authors did not have a fair competition in the office of American publishers or with the American book-buying public, at least in regard to fiction or other light literature, with books which had to compete with the low-priced piracy editions of volumes by foreign authors."

#### IRISH AFFAIRS.

DUBLIN, January 13, 1901.

Irish affairs include, indeed mainly consist in, the Irish land question, as to which a new movement is now in development. Agitation against the landlord system and excessive rents is perennial, and has always been the chief plank in the Nationalist platform; but now the agitation is led and voiced by a Unionist of Unionists, Mr. T. W. Russell, who for the last five years has been a member of the Conservative Government, holding office as Secretary to the English Local Government Board.

Russell is a Scotchman by birth, an Irishman by long residence, a temperance ad-

vocate all his life, a champion of the Union ever since the Home Rule movement began, a bitter opponent of such phases of the land agitation as the "plan of campaign," "boycotting," and the "no-rent" movement, and for many years looked on by the landlords as their protector. He is a Presbyterian, and represents an Ulster constituency. He has always taken a prominent and intelligent part in Parliamentary inquiries into the land question, has had no small share in framing recent land acts, and personally has been on friendly terms with prominent Nationalists. He may be called a poor man, but is rich in having simple tastes, few wants, and an independent spirit. On the eve of the general election he made a speech to his constituents denouncing the administration of the Irish Land Acts as unjust and intolerable. He knew that the speech would mean the relinquishment of his office and salary of \$7,500 a year. His services to the present Government had been such that he was offered a non-political and permanent post with a higher salary, but he declined this, saying he preferred to devote the rest of his life to the Irish land question and to temperance.

Russell's position is that the Land Acts were just, necessary, and sufficient, but that the courts, manned with judges saturated with landlord prejudices and ignorant of the history of Irish land tenure, have consistently refused to give effect to the laws passed by Parliament. During the last twenty years, act has been piled upon act, each successive statute being an attempt to remedy the judicial decisions by which the administrators discovered that the plainest words meant exactly the opposite of what was intended, and what was conveyed by them to the man of ordinary intelligence. The present Land Commission Russell holds to be the worst of all in its constitution, presided over by a partisan judge, and packed with men steeped to the lips in landlord prejudice.

There is nothing new in all this—the Nationalists have been saying the same thing for years; but it gives a new complexion to the complaint that it should be made by a late member of the Conservative Government, a pillar of the Union, and backed by the Protestant farmers of Ulster. "What is the use," asked Russell, "of passing an act of Parliament, and then appointing administrators opposed to its very conception who proceed to strangle it?" In 1881 Parnell made the same objection, in anticipation, saying that the Government would never appoint as Land Commissioners and Sub-Commissioners persons who understood the needs of, and who could sympathize with, the tenant farmers.

Before 1881, reformers of the Cobden and Bright school maintained that the worst of all proposed ways of dealing with the Irish land question was to give facilities for landlord and tenant going to law with each other. The Land League in 1880 took the same line, that the evils of the landlord system could not be mended, and that the system should be ended by giving every tenant the right to purchase his landlord's interest at a price or rate to be fixed by Parliament. Thirty years' experience of the administration of English land laws in Ireland has brought Russell to the same conclusion. The Land Commission, he contends, is a court of injustice. In view of the fall in prices, the reductions made in Irish rents leave the



farmer worse off than ever. The tenant's improvements, which it was the object of legislation to exempt from rent, remain in substance the landlord's property. A gigantic lawsuit in every parish is not only an intolerable burden on both landlord and tenant, but an enduring cause of unrest and social ill-will. Irish courts of justice filled with appointees of the dominant class will never do justice between landlord and tenant; they are incapable of doing it. Emigration, starvation, wages of farm laborers, discontent, and "disloyalty" are due to the fact that the rents taken by the landlords, of whom not one-half reside on or know anything of their estates, leave farmers neither a decent subsistence, nor the means of paying laborers a living wage. It is the interest of lawyers to encourage litigation, and to prevent the rapid operation of the Land-Purchase Acts by raising questions of title and procedure; they are the one class that has benefited substantially by Irish land legislation.

T. W. Russell's proposal is that the landlords shall be compulsorily expropriated and at once. He is thus absolutely in accord with the claims and projects of the Nationalists, but he apparently intends to confine his agitation to Ulster, and up to this has refused to address meetings outside that province. His late position in the Conservative Government, his life-long connection with the Unionists, his thorough acquaintance with the legal intricacies of the land laws, and his vigor as a speaker will secure him a hearing and attention in the House of Commons which no Nationalist could expect or obtain. Russell is not a man to take off his coat for nothing; he means business. His voluntary sacrifice of a well-paid official position is a proof of his earnestness which will appeal to many Englishmen; he is an acute parliamentarian, an unusually vigorous speaker, and he has an irrefutable case. But he has heavy odds against him, and has to solve the question whether a great reform can be wrung from a hostile Government against the wishes of a class of which that Government has been and is the special protector. No such reform has ever been attempted in Ireland unless the agitation demanding it has been accompanied by violence and riots which threatened to win by force what was refused by legislation.

In his interesting account of the anti-rent agitation in the State of New York, Mr. Cheyney concludes that "the whole history of agrarian contest shows that a system of land-holding which has become disadvantageous to the community will finally be abolished, even if what appear to be individual rights have to suffer in the process." That agitation was not conducted and would not have succeeded without violence. In Prince Edward's Island, the abolition by law of landlordism was also practically obtained by violence. Travelling this year in the State of Baden, every farmer to whom I spoke of the apparent comfort and prosperity of the farmers and country villages told me it dated from 1848, when oppressive manorial rights and dues, class privileges, and unequal taxation were abolished, but not until mansions had been wrecked, court-houses and records destroyed, and terror struck into the class whose oppressions were complained of.

The disadvantages of Irish land-tenure to both Ireland and England no longer need any proof. Generations of reformers have passed away without seeing their hopes realized,

and now, after thirty years of continual patchwork legislation by the British Parliament, we have the same cry that this evil, to remedy which men have labored their lifetime, spent years in prison or exile, suffered capital punishment, been execrated by those whose unjust privileges they attacked, cannot be mended. It must be ended once and for all. England has many difficulties now confronting her, and if her difficulty is Ireland's opportunity, the present Irish movement may be more effectual than preceding ones.

AN IRISHMAN.

#### THE MANUSCRIPTS OF THE CONDÉ MUSEUM.—I.

PARIS, January 12, 1901.

On the 3d of April, 1897, when the Duke d'Aumale was on the point of starting for Italy, he left a note containing these words: "There shall be taken from my estate a sum of fifty thousand francs, which, under the supervision of my executors, shall be employed in finishing and printing the catalogues and inventories of the Condé Museum." The two first volumes of these catalogues have just appeared—magnificently made, and wholly consecrated to the manuscripts preserved in the library at Chantilly. The introduction was written entirely by the Duke d'Aumale, and is his personal work. The Duke always took a keen interest in his manuscripts. The first which he possessed came to him from the Condés and the Montmorencys. Speaking of the Constable of Montmorency—

"If the terrible warrior," writes the Duke d'Aumale, "whose severity was celebrated by D'Aubigné, was not a great clerk, he had noble instincts and a decided taste for beautiful things. Happy in the choice of the artists to whom he confided the execution of his thought, Jean Goujon, Jean Bullard, and others, he did not content himself with raising sumptuous houses, to fill them with masterpieces, sculptures, painted glass, tapestries; the literary, the poets were encouraged by him, and addressed to him their thanks in verse and in prose. To the works of the past he wished to add those of the present, and to unite on his bookshelves the most famous productions of the ancient writers. We have the testimony of André Duchesne, who was seized with admiration for the large quantity of manuscript books assembled by the Constable at Chantilly ('Genealogic History of the House of Montmorency')."

Many of these manuscripts have disappeared, but if we consider the vicissitudes which this collection went through, we are surprised that so many should be still left. Among those which have disappeared we must cite the *Life of the Constable himself*, which "John of Luxembourg, Bishop of Pamiers, Abbé of Ivry, of Arrivour, and of Saint Maur, one of the most eloquent men of his century, took the trouble to compose in Latin verse." The translation into French of the *'Triumphs' of Petrarch*, by John of Mainières, Baron of Oppède, King's Councillor at the Parlement of Aix, dedicated to Montmorency, has also disappeared, with many other valuable manuscripts. The library at Chantilly fortunately still possesses volumes presented to Montmorency, in their old bindings, with the name, the arms, and device of the Constable. There are even some which belonged to the Constable's father, the first Lord of Chantilly bearing the name of Chantilly, Guillaume of Montmorency (his portrait, by Jean Clouet, may be seen at the Louvre). The grandson of the

Constable, Duke François, inherited his tastes and added much to his collection.

There are at Chantilly twelve fine manuscripts, which all have the signature of "Jehan du Mas, Seigneur de l'Isle," who attached himself early to the fortunes of the Bourbons, and belonged to the household of the Sire de Beaujeu, who lived at the court of Charles d'Orléans, the poet who was so long a prisoner in England. When the Sire de Beaujeu married Anne de France, the daughter of the Duke d'Orléans, Jean du Mas followed his fortune, and found opportunities for coming into possession of fine manuscripts, among others some of the manuscripts of the Duke de Nemours. The Duke d'Aumale gives many curious details concerning forty-three manuscripts which belonged to Antoine de Chourses and to his wife, Catherine de Coëtivy.

The first inventory of the Montmorency manuscripts was made when the property of the Prince de Condé was seized and confiscated to the crown. The Prince had become a rebel, and he reentered France only after the peace of the Pyrenees. He regained possession of his estates and of Chantilly, and when the Duchy of Bourbon was allotted to him in exchange for the Duchy of Albret, he found in the Castle of Moulins many fine books which the Bourbons had collected in the eighteenth century. All the manuscripts at Moulins were added by him to those of Chantilly.

The Prince of Condé, when he retired to Chantilly, took great care of his collections, and made many new acquisitions. In 1693, Pierre des Noyers, Secretary of the courageous and romantic Marie de Gonzague, Queen of Poland, the friend of M. le Prince, "the hero," left his library to Condé, and, among other manuscripts, twenty folio volumes of the correspondence of Marie de Gonzague. When Prince Louis-Joseph de Condé (who formed at the time of the Revolution the so-called army of Condé) built in Paris the palace which is still styled the Palais Bourbon, though it is now assigned to the President of the Chamber of Deputies, as it is close to the Chamber, the collections of manuscripts and books at Chantilly were transported to Paris.

"The Revolution," says the Duke d'Aumale, "was not long in troubling their peace. They were first maintained where they were, then passed to a depository in the Rue de Lille, somewhat in disorder. The printed volumes were dispersed and distributed among the libraries of the great cities of France. As for the manuscripts, united to the Archives, they were transported to the National Library, while the portfolios of charters, title-deeds, papers, etc., went to augment the somewhat disorderly National Archives, which they left afterwards, probably a little diminished. However, thanks to these circumstances, the manuscripts and papers of Condé were able to escape the complete dispersion which was the fate of so many other collections."

When Prince Louis-Joseph (the *père Prince*, as he was familiarly called in his family) came back to France in 1814, he was somewhat weakened in intellect by age, but not so much so that he did not remember what belonged to him. Many offers of hospitality were made to him. He quietly said, "I want to sleep in my own house," meaning the Palais Bourbon. This palace was then inhabited by M. de Fontanes, the grand master of the University. Being informed of it, the Prince said: "I do not know M. de Fontanes, but I shall be very happy to offer him the hospitality of my house." A bed had to

be made for the Prince in the Palais Bourbon, still occupied by M. de Fontanes. The Prince, who knew very well what he wanted, at once claimed his papers; he had studied them before the emigration, as he wrote an essay on the Life of the Great Condé. The papers were without delay returned to him.

When the Duke d'Aumale came into possession of the manuscripts of the Condé family, he first took the trouble to study and classify them. It was afterwards his good fortune to add, by purchase, some very valuable manuscripts to the collection. He tells us that, even at the time when he made war and became Governor in Algeria, he looked at his manuscripts between two campaigns. When he left for England after the Revolution of 1840, he sent for his collection of manuscripts and books, as soon as he had bought Orleans House at Twickenham, and he had a special wing added to the house for his library. He spent many lonely evenings in it, making himself familiar with the old manuscripts, and his great knowledge of French history helped him often in the study of these documents, many of which had an historical character.

In his purchases, he took special care to buy works not only which had a great artistic merit, but which had belonged to important personages, or which gave representations of them. The collection of his direct acquisitions consists of no less than 550 volumes, some of which present a history of the art of the miniaturist and of the decoration of vellum in its most brilliant form. We may cite, for instance, the Sacramentarium of Lorch; the portrait of the Emperor Otho (a leaf detached from a book of the tenth and eleventh centuries); the Psalterium of Ingeburga of the thirteenth century with which Saint Louis said his prayers; the Breviarium of Jeanne d'Evreux, belonging to the fourteenth century; the Horæ of the Duke de Berry, an incomparable monument of Franco-Italian art about 1400; the third volume of the 'Historical Mirror,' which belonged to the Duke de Nemours; the Horæ of Étienne Chevalier, from which detached pages had been cut, with their miniatures by Fouquet. These admirable vellum miniatures are, the Duke d'Aumale justly says, the perfection of French art in the Middle Ages. They were bought by him at Frankfurt, he had them put in black frames, and they adorn the walls of a small room which he called his *Sanctuary*, where are placed also two pictures by Raphael, the famous "Virgin of Orléans," which once belonged to the Regent of Orléans, and the three Graces, one of the works in the first manner of Raphael, which came from the galleries of Lord Dudley. Besides these two Raphaels there is a picture by Filippino Lippi, on an Italian *cassone* representing the scenes between Esther and Ahasuerus as they are related in the Bible. This admirable piece of Lippi's was one of the last purchases of the Duke d'Aumale; he was very proud of it, and liked to show it to his visitors. In the series of his illustrated vellum manuscripts, I cite (to continue the chronological order) a Diodorus Siculus and the 'Gallic War' of the time of Francis I.; and, in a later period, charming volumes of Jarry and of Rousselet.

## Correspondence.

### THE CONSTITUTION IN THE TERRITORIES.

TO THE EDITOR OF THE NATION:

SIR: Your correspondent of January 31, writing on "The Constitution in the Territories," asserts that it has long been settled historically that, "in legislating for the Territories, Congress is not limited by the Constitution." In support of this assertion he presents the following points: (1) Congress prohibited slavery in the Northwest Territory, although the Constitution gave Congress no power to interfere with slavery in the States; (2) Congress prohibited the importation of slaves into the Louisiana Territory before 1808, although the Constitution "protected the African slave trade with the States until 1808"; (3) the Constitution does not guarantee a republican government to the Territories, although, "wherever the Constitution goes, republican government goes with it."

This reasoning, I take it, is based upon a fundamentally mistaken notion of the Constitutional Law of the United States. Back of it all is the assumption that, "if the Constitution goes into the Territories, it goes as a whole," meaning, evidently, that, if Congress is subject to any limitation in the Territories, it is subject to the same limitations which bind it in the States. This is not the view entertained by the Supreme Court. According to that authority, the Constitution does go into the Territories, but, in the nature of the case, the provisions of the Constitution which refer to the States do not refer to the Territories. The Constitution defines the position of the States, and it defines the position of the Federal Government in our political system. The position of the Federal Government is not the same as the position of the States; yet no one has suggested that the Constitution does not for that reason "extend to" the Federal Government. In the same way the Constitution defines the position of the Territories, and that position is not the same as the position of either the Federal Government or the States. Further, the Constitution defines the relation of the Federal Government to the States and also to the Territories; but the relation sustained is not necessarily the same in both cases. Indeed, it is necessarily not the same, for otherwise there could be no distinction between States and Territories; in that case the Territories would be States.

The rule for interpreting the powers of the Federal Government in the States is, that all power not specifically given by the Constitution to the Federal Government, or denied by it to the States, is reserved to the States. Your correspondent assumes, evidently, that if the Constitution "goes into the Territories," the powers of the Federal Government there must be interpreted by the same rule. No greater misconception could well exist. The Federal Government has been given general, not specific, legislative power in the Territories, and the obvious rule, therefore, for interpreting that power is that all power not specifically denied to Congress is reserved to Congress. What are the specific limitations upon the power of Congress? They are the absolute prohibitions which guarantee the personal and property rights of the individual. In

other words, the Constitution enumerates what the Federal Government can do in the States, but only what it cannot do in the Territories. Such was the view of the Supreme Court in the case of *Murphy vs. Ramsey*, decided in 1884 (114 U. S.).

With this theory the slavery legislation of Congress was not in conflict. Congress could not prohibit slavery in the States because it had no specific power to do so; it could prohibit slavery in the Territories because it was not specifically forbidden to do so. Likewise, it could prohibit the importation of slaves into the Territories because the constitutional limitation upon the power of Congress in this respect was not an absolute limitation, but referred in terms to the importation of slaves into the States "now existing." Finally, it is admitted that the Constitution guarantees a republican government to the States, and not to the Territories, but it does not follow that, wherever "the Constitution goes, republican government goes with it." The part of the Constitution which "goes into the Territories" is that part which gives Congress general legislative power over them, and the part which formulates the absolute limitations upon the power of the Federal Government everywhere. These limitations do not secure for the Territories political privileges, but personal and property rights. As the Court has so clearly said: "The personal and civil rights of the inhabitants of the Territories are secured to them, as to other citizens, by the principles of constitutional liberty which restrain all the agencies of government, State and national; their political rights are franchises which they hold as privileges in the legislative discretion of the United States."—Respectfully,

CARL BECKER.

STATE COLLEGE, PA., February 2, 1901.

### THE MISSOURI RIVER COMMISSION.

TO THE EDITOR OF THE NATION:

SIR: In its issue of January 17 the *Nation*, whose established reputation for probity and truth entitles its writings to more than ordinary consideration of the reading public, does great injustice in its criticism of the Missouri River Commission. The uninformed reader of the item would certainly be led to believe that the Commission had, of its own volition, diverted funds from their proper purposes of improving the channel to the protection of private property on the banks of the river; that the personnel of the Commission is wastefully large in proportion to that of the Mississippi River Commission; that the appropriations made for the improvement of the river are entirely incommensurable with its present and prospective commerce, and that it is less worthy of improvement than Raccoon Creek, N. J., or Bayou Teche, La.

Allow me to state a few facts in controversy. The Missouri River Commission has never, on its own motion, allotted nor advised the allotment of a single dollar from the general appropriation for the river to other than the legitimate purposes of channel improvement; on the contrary, in every one of its reports since its creation in 1884 it has protested against any diversion of funds to detached localities, and has strongly advised the prosecution of continuous and systematic work of improvement for



navigation purposes only. Its policy is well stated in one of its early reports,

"that the primary object of the improvement is to deepen the channel, and thus provide cheap *through* transportation for freights, by which the country may be developed and the money paid out be finally returned to the United States; that the cost of protecting any portion of the bank from erosion is so great that it is only in exceptional cases that the annual interest upon the investment does not exceed the annual loss without protection; that while it is true that there is a small amount of commerce on the river at this time, the object is to increase that commerce, and, if that object fails, the whole scheme is a financial failure, whether the destruction of property has been stopped or not."

It is true that a large amount of the appropriations for the river, since the above was written, has been diverted to work of protection at detached localities, but in all cases such diversion has been made by enactment of Congress itself, and the Commission has acted simply as the executive of Congress in making such expenditures. The Commission has no apologies to offer in regard to the navigable condition of the forty-five miles of river at the head of and covering about one-third of the length of the first reach of the river above its mouth, for the systematic improvement of which the remnants only of the appropriations in recent years have been permitted, by Congressional action, to be devoted.

The figures given in the *Nation* of the comparative personnel of the Missouri and Mississippi River Commissions are not only misleading but erroneous. They were doubtless obtained from the biennial register of July 1, 1899, in which are published the names of all employees of the Engineer Department then in actual service. The figures form no gauge of the actual number of persons employed during the year, especially on those works which are carried on by hired labor and not by contract. Of the 286 names enumerated under the Missouri River Commission, 109 were day laborers, and the remainder included all employees, from assistant engineers to waiters on the snagboat, most of whom were performing only temporary service.

The 272 names mentioned as the personnel of the Mississippi River Commission relate only to the employees of its Secretary, whose duties are mostly confined to work of survey and preservation of records, and no mention is made of the 384 employees in the departments carrying on work of construction published in the same book. In the same register the officer in charge of the Mississippi River Improvement between the mouths of the Missouri and the Ohio Rivers is credited with a personnel of 1,185 names, and it would be most unjust to charge him with extravagance on such data.

That a comparatively small amount of *through* commerce exists at the present time on the Missouri River is not due to scarcity of population and freight, nor even to an insufficiency in quantity of water. The Commission has fully demonstrated that the supply of water is ample when its flow is concentrated by systematic controlling works to afford, at least, a 6-foot navigable channel. The comparison of the Missouri River, which traverses or borders seven States, and whose drainage area, even below Sioux City, Ia., comprises over 200,000 square miles, with Raccoon Creek, New Jersey, can only be regarded as an attempt at pleasantry. We might with equal justice make the

comparison with the deep water of the Great Lakes over which millions of tons are carried annually, or with a harbor teeming with trade, but so situated and favored by nature that no improvement has ever been or ever will be required. The Missouri River is in much the same condition as a contemplated through line of railroad would be with a few miles of completed track between its termini. Not until its termini are connected will the benefits of its improvement become fully apparent. Even in its present condition of unsatisfactory navigation, the Missouri River is an arbiter of freight rates to near-by valley points.

The Missouri River Commission doubtless owes its creation to the supposition that the establishment of such a body would unite the various interests of the valley in the common object of improving the river for navigation purposes. That such result has not followed the establishment of the Commission, is due to the fact that different communities along the river have been more impressed with the desirability of immediate protection from the ravages of the river than of opening up an artery of commerce, the benefits of which would not reach their particular localities for a number of years.

The administration of the Commission has been much the same as would have ensued had the work been in charge of a single officer, and the additional expense attending its administration is measured by the salaries of two civilian commissioners, the travelling expenses of the members, and a small additional clerical force. The Commission has made no protest against its abolition, but does protest when misstatements are made affecting its integrity or its work.—Very respectfully,

ANTHONY H. BLAISDELL,  
Mem. Am. Soc. Civil Engineers,  
Assistant Engineer to the Missouri River Commission.

ST. LOUIS, February 2, 1901.

#### THE GENERAL, THE MINISTER, AND THE MISSIONARIES.

TO THE EDITOR OF THE NATION:

SIR: As the vast majority of your readers will not see a letter from Minister Conger's niece which appeared in the issue of the Des Moines, Ia., *Leader* for Sunday, January 27, I send you some verbatim extracts from it. It was written to the young lady's three brothers, residents of Des Moines:

"Stacks of silver have been found in Peking, but we have found very little. The Japanese took a treasury and must be worth millions now. Gen. Chaffee doesn't want to confiscate anything and acts accordingly. M. de Giers, the Russian Minister, got permission for his daughter and two sons, and Uncle Ed, Aunt Sarah, and I to go through the imperial city, which is under Russian control. . . . The houses are kept sealed, and a colonel with five officers took us around to unlock and lock the doors again. We went into the room where the Empress Dowager received the foreign ladies, and through all of her rooms. . . . In front of the throne was a table with handsome ornaments on it. I sat on the throne, as I did on nearly every one we saw. . . . We went on the island where the Empress was isolated, and in the throne-room where Uncle Ed had been received. . . . There were lots of store-rooms, but they will be empty in a short time, for the Russians are the worst looters imaginable. When we went there we were told that nothing should be carried away, consequently we were abiding by that to the

very end, when we went into a room full of nice little snuff-boxes and jade dishes, and the officer in charge turned his back and all of the other officers filled their pockets. Then we noticed throughout all the buildings many things had been carried away, and that day the amount of stuff that disappeared in pockets and blouses was more than we could tell. We followed their example, and brought home a few little things. Though small, they are very fine, besides the fact that they are right from the palace."

After some description of the "Forbidden City," the imperial ancestral halls, "beautiful in handsome gold lacquer and yellow brocade satin," the camping-palaces of our troops and the British, the letter goes on:

"The Congregational missionaries moved into a prince's palace. It was full of beautiful things, so they have been selling them for the benefit of the mission. We went up there several times, each time finding things in the most out-of-the-way places. In dark, dusty, unused rooms are boxes piled on boxes, and cupboards where we found magnificent pieces of red lacquer, beautiful porcelain, and silks and fur-lined robes till there is no end."

The writer does not mention taking even "a few little things" here. Probably the missionaries kept better watch than the Russian guards. It will be interesting to see whether or not the next financial report of the American Board will contain "Proceeds of loot of Prince ———'s palace by missionaries, \$———." As the Minister's baggage comes in free of duty, we may not hope to know just how well his family fared.

Yours very truly,

CELIA S. M. CURRIER.

IOWA CITY, IOWA, February 2, 1901.

#### JOHN MARSHALL ON EDUCATION.

TO THE EDITOR OF THE NATION:

SIR: I enclose to you for publication a letter of John Marshall's, the original of which is in my possession, and, so far as I know, has never been printed before. It is addressed to

"Mr. John Marshall Jr.  
"of Mont blanc  
"near Oak hill  
"Fauquier"

It is postmarked "Richmond, Va., Dec. 8." This, with the allusion to his grandson's letter of November 29, shows that its date should be December 7 instead of November 7. It is of interest as showing the great jurist's ideas on education.

WILLIAM F. ARBOTT.

WORCESTER, MASS., February 2, 1901.

Richmond Novr 7th 1874

My Dear Grandson

I had yesterday the pleasure of receiving your letter of the 29th of November, and am quite pleased with the course of study you are pursuing. Proficiency in Greek and Latin is indispensable to an accomplished scholar, and may be of great real advantage in our progress through human life. Cicero deserves to be studied still more for his talents than for the improvement in language to be derived from reading him. He was unquestionably, with the single exception of Demosthenes, the greatest orator among the ancients. He was too a profound Philosopher. His "de officiis" is among the most valuable treatises I have seen in the latin language.

History is among the most essential departments of knowledge; and, to an American, the histories of England and of the United States are most instructive. Every man ought to be intimately acquainted with the history of his own country. Those of England and of the

United States are so closely connected that the former seems to be introductory to the latter. They form one whole. Hume, as far as he goes, to the revolution of 1688, is generally thought the best Historian of England. Others have continued his narrative [sic] to a late period, and it will be necessary to read them also.

There is no exercise of the mind from which more valuable improvement is to be drawn than from composition. In every situation of life the result of early practice will be valuable. Both in speaking and writing, the early habit of arranging our thoughts with regularity, so as to point them to the object to be proved, will be of great advantage. In both, clearness and precision are most essential qualities. The man who by seeking embellishment hazards confusion, is greatly mistaken in what constitutes good writing. The meaning ought never to be mistaken. Indeed the readers should never be obliged to search for it. The writer should always express himself so clearly as to make it impossible to misunderstand him. He should be comprehended without an effort.

The first step towards writing and speaking clearly is to think clearly. Let the subject be perfectly understood, and a man will soon find words to convey his meaning to others. Blair, whose lectures are greatly and justly admired, advises a practice well worthy of being observed. It is to take a page of some approved writer and read it over repeatedly until the matter, not the words, be fully impressed on the mind. Then write, in your own language, the same matter. A comparison of the one with the other will enable you to remark and correct your own defects. This course may be pursued after having made some progress in composition. In the commencement, the student ought carefully to re-peruse what he has written, correct, in the first instance, every error of orthography and grammar. A mistake in either is unpardonable. Afterwards revise and improve the language.

I am pleased with both your pieces of composition. The subjects are well chosen and of the deepest interest. Happiness is pursued by all, though too many mistake the road by which the greatest good is to be successfully followed. Its abode is not always in the palace or the cottage. Its residence is the human heart, and its inseparable companion is a quiet conscience. Of this, Religion is the surest and safest foundation. The individual who turns his thoughts frequently to an omnipotent omniscient and all perfect being, who feels his dependence on, and his infinite obligations to that being will avoid that course of life which must harrow up the conscience.

My love to your mother & the family.  
Your affectionate Grandfather,  
J. Marshall.

#### BINNACLE.

TO THE EDITOR OF THE NATION:

SIR: Permit me through your columns to ask for information concerning the word *binacle*, which was referred to in your issue of January 17, in the report of the meeting of the American Dialect Society. The facts as known to me are these: Along the two branches of the Delaware River, in Delaware County, N. Y., the word is in common use. John Burroughs, in his essay, "Pepacton," notes the word as one hitherto unknown to him, and writes it "binocle." I am informed by a surveyor of thirty years' experience in that region that the word is used frequently in deeds as a landmark, and that the first syllable is often spelled *ben*. Along the Susquehanna River, above Unadilla, N. Y., the word is known. At Bouck's Island, in the town of Fulton, Schoharie County, the smaller channel of the Schoharie running back of the island has always been called the "bennakill."

In the regions just named the word always refers to a body of water, and has some one or all of the following meanings: water diverted from its natural course for use as a water-power; a lesser river channel, often isolated from the main stream when the water is low; an inlet into the river flat, aside from the main current, or, as Burroughs says, "a still, miry place at the head of a big eddy."

The derivation that has been suggested, if it be the true one, entitles the word to a place by the side of *vly* and *clove* as a legacy of the early Dutch hunters and settlers in the Catskill region. Binnacle is a compound word of Dutch origin, and should be written *binnekill*. The word *kill* in the sense of stream is found frequently along both sides of the Hudson, for some distance up the Mohawk, and in Ulster, Greene, Schoharie, Delaware, and Orange Counties, to say nothing of occasional occurrences of it along the whole course of the Delaware River. The first part of the word is probably the Dutch *binnen*, meaning "inner." A parallel word is found in Ulster County, where, near the village of Binnewater, there is a chain of five lakes bearing the names First Binnewater, Second Binnewater, etc. Perhaps some one who is well acquainted with that region can furnish additional evidence as to the use of *binne*.

Although the main facts concerning the word in question are certain, it is worth while to gather a larger amount of material for the sake of determining how widely the word is used, and what variety of meanings it bears. In behalf of the American Dialect Society, I ask that any readers of the *Nation* who are able to contribute facts in point would kindly communicate with me. One may reasonably look for the occurrence of this word in those regions where *kill* is in use. It is hoped that this request will appeal not only to philologists, but to geographers and geologists who are familiar with the Catskill region, and to historical students who have consulted the land grants and deeds of the early Dutch settlers.

Yours very truly, EDWARD FITCH.  
HAMILTON COLLEGE, CLINTON, N. Y.,  
January 28, 1901.

#### INTELLIGENCE IN THE CLIPPINGS BUSINESS.

TO THE EDITOR OF THE NATION:

SIR: The Secretary of the American Economic Association has a contract with a well-known press-clippings bureau to supply notices of that organization and of its publications. He recently received from the bureau a magazine article of forty-odd pages entitled, "The Scope of Sociology." Apparently the article overran a signature of the periodical by a single page, and the bureau dutifully procured a handproof of that page. Examination of the matter thus forwarded reveals the following passage as the sole reason for sending the clipping to the American Economic Association:

"We would distinguish four phases which human association on a large scale presents:

- "(1.) Biologic association.
- "(2.) Economic association.
- "(3.) Civic association.
- "(4.) Ethic association."

ITHACA, N. Y.

C. H. H.

## Notes.

E. P. Dutton & Co. will shortly publish a 'Life of Joseph Chamberlain,' by N. Mureel Morris, and 'Lord Rosebery: His Life and Speeches,' by Thomas F. G. Coates.

'War Impressions: Being a Record in Color' (by a new process), by Mortimer Menpes, is Macmillan's latest promised contribution to the history of hostilities in South Africa.

'The Rise of the Bookplate,' by W. G. Bowdoin, is announced by A. Wessels Company.

Fleming H. Revell Company have in press a 'Narrative of the Events of a Journey across China into Tibet,' by Dr. Susie C. Rijnhart, and 'Early Christianity,' by Prof. Herbert L. Willett.

An autobiographic 'Book of Reminiscences,' largely humorous and anecdotic, by Mrs. E. D. Gillespie, a descendant of Franklin, is soon to be issued by J. B. Lippincott Co.

The 'Cabin and Plantation Songs as Sung by the Hampton Students' (Putnam's) obeys the current law of "Expansion" by issuance in a third edition embracing forty-four additional songs, but Hawaii, Japan and China, and Turkey are laid under contribution to the extent of eleven pages. Remote, if less remote, from cabin or plantation is also the "Grace before Meat at Hampton"; but the collection is avowedly representative of song at Gen. Armstrong's famous and deserving school.

One of the most attractive editions of the 'Divine Comedy' is that lately issued by the Oxford University Press (New York: Henry Frowde), in a single duodecimo volume of 557 pages, printed generously on thick paper and bound in simple blue cloth. Dr. Moore's text of 1894 has been reproduced without note or comment, but he has made a few changes, verbal and in the punctuation. Mr. Paget Toynbee, on his part, has supplied an index, chiefly of proper names, but not wholly, as the title-page suggests. During the coming year, it appears, we are to have a supplementary volume of critical, historical, and literary annotations by the Rev. H. F. Tozer.

An ingenuous little book, by Frances Fenton Sanborn, comes to us from the Pacific Coast, with the title, 'About Dante and his Beloved Florence' (San Francisco: The Whitaker & Ray Co.). Not wholly without method, and the fruit of personal travel in Italy, it is still a medley of simple narrative and abundant quotation in prose and verse from poets and essayists on Dante, and a blind typography enhances the confusion. There are a number of mostly stock illustrations. As a whole, the volume is likely to fulfil the compiler's aim to interest the quite uninformed.

The seventh volume of Dr. Guy Carleton Lee's sumptuous edition of 'The World's Orators' (G. P. Putnam's Sons) is entitled Part II. of the "Orators of England." The orators selected are Erskine, Canning, Mackintosh, Peel, Macaulay, Brougham, Lytton, Beaconsfield, Bright, and Gladstone. There are portraits of all of them, some of them quite as striking as their speeches. As to the latter, what is most striking is the absence of the quality which, in common parlance, is called "impassioned eloquence." The most effective of them consist mainly of calm, sensible reasoning; and they are



therefore almost as fresh as when they were first delivered.

Professor Toller's 'Outlines of the History of the English Language' (Macmillan) is, in many respects, excellent, and should be welcomed by the teacher and the student. The introductory chapter on the changes of form and meaning in words, with happy illustrations; the review of the Latin element in Old English; the account of the Old English poetic diction; the description of the sounds and inflections of Old English; and the sketch of the changes in these and other matters which have produced the English of later times, are among the sections that call for high praise. Nor, despite their precision of statement, can they be considered too difficult. The attempt to give an easy and untechnical exposition of "Grimm's Law" is, from the nature of the case, less successful. It is to be regretted that the author borrows his classification of Indo-European and Teutonic languages from Sweet, rather than from Brugmann or Streitberg; and that, for the classes of strong verbs, he has invented a new arbitrary order, which is neither the received one, nor that of Sweet, nor yet that of Skeat. The book also encourages the mistaken notion that, by reason of its large borrowed element, English differs from other languages in nature, and not merely in degree, thereby constituting a unique specimen of hybrid. In his Old English quotations, Professor Toller sometimes marks the long vowels (as on p. 127), and sometimes leaves them unmarked (as on p. 126, opposite). There is no index. These objections, however, are outweighed by the positive merits of the book. If accompanied by a considerably greater amount of reading than its own illustrative selections afford, it should prove of great service to college classes.

The publication of 'A Short History of French Literature,' by L. E. Kastner and H. G. Atkins (Henry Holt), will be welcome to teacher and student alike, for the volume presents, in some three hundred pages, a more than usually accurate and complete survey of its subject from the earliest times to the present day. We must note, however, that, as in other histories of the same type, the authors were at times driven into extreme compression; thus, in the first forty pages the reader is brought at a hand-gallop down to the sixteenth century. Corresponding summariness of judgment may also be expected, even where greater amplitude of treatment leaves an opportunity for precision of detail. To say, for instance (p. 367), that Balzac "cannot paint . . . an honest man or a virtuous woman" is to ignore 'Le Médecin de Campagne,' the Baroness Hulot of 'La Cousine Bette,' and 'Eugénie Grandet.' We also note that, if discussion of Decadence and Symbolism implies mention of such men as Moréas and Vielé-Griffin, no treatment of Romanticism should omit Victor de Laprade.

'Winsome Womanhood,' by Margaret Sangster (Revell), is precisely what its name and its honored author's name lead one to expect. Wise, kind, sane, religious in matter; in manner, lucent syrup tinted with cinnamon. If our girls and women would follow its counsels, they would be more reasonable, healthy, and cheerfully devout; if they should imitate and, as imitators always do, exaggerate, the softer side of its literary style, we should tremble. "Ah, dear girls,

be happy, be sweet, be good"; but please, dear girls, do not say "attent," which if Scriptural is archaic; be "vicarious" by all means, since we read that "the house-mistress" and especially "the editor" ought to be, but please do not call it so. A vicar by any other name would read as sweet. We pay Mrs. Sangster the tribute of believing that she has admirers ready to turn imitators, and we should wish their footsteps planted in those of her paths where faring further they would fare better and not worse.

The subject of Charles M. Barrows's privately printed 'Suggestion instead of Medicine' (Boston) is of great practical and philosophical importance, but the present writer contributes little that is new with regard to it, unless certain very crude theories about the frontal and occipital lobes of the brain and their nutrition deserve to be classified in that way.

In spite of the immense advance that has been made in the art and science of medicine, there was never a time when distrust of the long-established methods of the doctor was more in order than now, or when "nature cures" of one sort or another were more in favor. Unfortunately, although this critical state of mind has its eminently good side, the conclusions to which it leads are often more ill-balanced and extravagant than those for which they are substituted. The conviction that one has a mission to destroy false idols furnishes the will and zeal to write a vigorous book, but not the calmness to write a well-balanced one. We do—some of us—eat too much, too fast, too early, and too late, and the doctors, for fear of starving their patients, and in distrust of the *vis medicatrix nature*, stuff them and dose them too, to their injury. Yet fasting cures, too, count their victims, and Dr. Mitchell's rest-cure with "overfeeding" counts its successes. Dr. Edward Hooker Dewey's 'No-Breakfast Plan and the Fasting Cure' (Meadville, Pa.) goes to extremes, but contains, also, much that is true for those for whom it is true. A generous fast has its use, as well as a generous feast, and rarely does the mischief with which it is credited by those who have never tried it.

'The Human Hair: Its Care and Preservation,' by J. R. Stitson, M.Sc. (New York: The Maple Publishing Co.), is a sensible non-medical treatise on the care of the hair and scalp, and of the general health, diet, etc., as bearing on that subject. The author, in his preface, disclaims any desire to encroach on the legitimate field of the physician, but it is always a question whether the narrow path of semi-professionalism can be successfully trodden. Domestic remedies are useful in simple cases, but who except a trained physician can say with authority whether our own case is really simple or not? The care of the hair is treated not only from the hygienic standpoint, but also from the social or cosmetic, and evidently on a basis of experience and good sense.

'Clinical Studies in Vice and in Insanity,' by George R. Wilson, M.D., Medical Superintendent of Mavisbank Asylum (Macmillan), is one of the books upon the much-discussed subjects of which it treats that the lay reader may peruse with interest and profit. One does not find in it the critical, measured, text-book discussion of the subjects indicated, but instead of it a keen and thoroughly human detailed study of cases, such as

reminds one of the remarkable work done in a similar line by the French psychologist Janet, except that, in the present work, the analyses are not pushed so far, and, relatively speaking, are clinical and social rather than technically scientific in their tendencies. Conscientious original contributions of this sort by an experienced and intelligent observer are always valuable and deserving of study. The reader may not agree wholly with the writer's views, but he cannot fail to be stimulated, and in the present instance he is likely to be both interested and entertained.

Several recent publications of the Deutscher Kolonial-Verlag ('Tropische Landwirtschaft'; 'Vieh- und Bodencultur in Südwestafrika'; 'Der Deutsche Export nach den Tropen') speak for thorough German method as applied to problems of recognized difficulty. The first two treatises are written by settlers who attempt to give new arrivals the benefit of their own experience. Clothing, tools, transport, fertilization of the soil, management of cattle-herds, treatment of native labor—these and other subjects are discussed in plain and simple terms that any one can understand. The seamy side is prominent—one notes remarks on land-purchase which are peculiarly enlightening as to the failure of Germany to divert emigration to Southwest Africa. The emigrant has to deal with speculative companies, undergo heavy expense while awaiting their action, and then runs great risk of finding himself no more than the disillusioned possessor of several barren sand-hills. The author is no pessimist, but he frankly admits that \$100 will hardly cover expenses of the delay alone. He, however, expects Southwest Africa to take rank with the Cape and West Australia as a cattle-raising land. The story of trade with the colonies does not contribute anything of value to those who assert that trade follows the flag; trade seems rather to follow the English. German progress is slow and intermittent, and Imperial subventions quite the order; things are yet "in their beginnings." Germany admits that her possessions are, on the whole, distinctly second-class, but she points with legitimate race pride to German tenacity and its past achievements in the face of odds.

Mr. A. P. C. Griffin, chief of the division of bibliography of the Library of Congress, has issued a second edition of his list of books and periodical articles relating to colonization and kindred subjects. The present edition is more exhaustive than the first, containing the more recent publications and forming a respectable booklet of 156 pages. The purchase of a valuable collection of Dutch publications on colonies is announced. This places the National Library far ahead of almost all university libraries, except that of Yale and possibly a few others, in opportunity for research work on these reliable original sources. Mr. Griffin's list forms a good working bibliography, but is far from complete; conspicuous omissions of important contributions occur here and there, but will doubtless be remedied in succeeding editions.

The leading article in the January number of the *National Geographic Magazine*, which begins its twelfth volume with a new and attractive cover and general make-up, is on the influence of submarine cables upon military and naval supremacy. Taking for a text, as it were, the fact that the accidental non-delivery of two cable mes-

sages to Admiral Cervera "undoubtedly largely changed the whole history of the Spanish-American war," the author, Capt. G. O. Squier, United States Army, proceeds to show "that the very foundation of successful naval strategy is efficient and exclusively controlled communications, and the lack of them more serious than inferior ships." A description of the cable system of Great Britain is followed by a sketch of that proposed for this country, which he estimates would cost at the most \$30,000,000. "For the expense of three or four first-class battle-ships," he concludes, "the United States can provide herself with the most powerful means known for extending and preserving her commercial influence and for the speedy pacification and civilization of the people who have recently come under her control, and can secure a strategic advantage—military, naval, and political—which is necessary to her position as a world Power." There is, also, an account of the Indians of southern Patagonia, with illustrations, in which the fact is noted that, with the coming of the horse, the bow and arrow seem to have been given up for the bolas. Mr. A. P. Davis summarizes the principal questions submitted to arbitration in regard to the location of the boundary between Nicaragua and Costa Rica, and there is a condensed statement of the engineering problems presented by the Nicaragua Canal. Mr. C. A. Schott of the Coast Survey treats of its recent contributions to our knowledge of the earth's size and shape.

From Meyer Bros. & Co., No. 26 West Thirty-third Street, we receive six numbers of *Figaro Illustré*, summarizing with text and pictures the several exhibits of Russia, Italy, Germany, Austria, Holland, and Sweden at the late Paris Exposition. Of these, we have found the first two particularly interesting, and perhaps for the statuary as much as for anything, but we can mention only Bernstamm's statue of Rubinstein, and Biondi's group of the Saturnalia. There are numerous colored plates besides the ordinary half-tones.

The same firm adds two notable contributions to the history of the war in South Africa. One is a quarto brochure of thirty-two pages, consisting of photographic scenes exclusively from the Boer side, with descriptive legend for each; and portraits of all the patriot leaders. It is of French provenance, and is entitled 'Vaincre ou Mourir: La Guerre au Transvaal.' Nothing in it is grimmer than the "cartouche de soldat," decorated with buttons, appellations, and other ornaments taken from the fallen English—almost scalp-locks. The other, 'Kruger le Grand et John Bull le Petit,' is a biting series of cartoons by Caran d'Aché, of which the cover shows Kruger's stolid burgher face in the foreground, while, in the middle distance, John Bull, hampered by ball and chain, is vainly endeavoring to net the butterfly De Wet. Humor, pathos, and satire are admirably mingled by this master, as in the examples of British reconnaissance, when a mountain is located by personal collision, and a plain by the scout's fall over a precipice; the cavalryman lugging off his accoutrements on the giving out of the 100,000th horse; or the Boer offering to his prisoner soup in place of "the Queen's chocolate," while his farmstead is being fired behind his back by a mounted Briton. Chamberlain is depicted before the rising of the curtain as

showman of something that does not come to pass, while "Business is business!" represents "Tommy" ticketed all over with Chamberlain family labels for every article worn or used.

A geological and geographical excursion to Iceland, Greenland, and Labrador is planned for the coming summer, under the direction of Dr. R. A. Daly of the department of geology and geography, Harvard University. Scientists taking part may pursue independent studies. The inclusive fee for membership is \$500.

The Philippine Information Society of Boston, of which Mr. L. K. Fuller, No. 12 Otis Place, Boston, is Secretary, has published three pamphlets, which "will be sent, free of cost, to any one sending the name of his Congressman, stamps to cover postage" (two cents for each pamphlet), and his address. But only one set will be sent to one address.

We learn too late of the death of Dr. Fitzedward Hall on Friday last, in England, to take a proper notice of this event this week. As "F. H.," he has been known to our readers for many years. His departure will be keenly felt in Dr. Murray's Scriptorium, to which the Oxford English Dictionary's proofs daily returned from Marlesford laden with the spoil of probably the most extensive word-reading ever undertaken by any man. Dr. Hall was born at Troy, N. Y., in 1825, and graduated from Harvard in 1846.

—Vols. lxx. and lxx. of the 'Jesuit Relations' (Cleveland: Burrows Brothers Co.) recall two events which proved of the utmost consequence to missionary effort among the American Indians: first, the final duel of English and French for the mastery of the continent, and, secondly, the overthrow of the Jesuit order. Concerning the latter occurrence, one may say that the Jesuits were expelled from France and the French possessions some years before Clement XIV. issued the brief, *Dominus ac Redemptor*, which suppressed the whole society (1773). In April and August of 1762, the Parlement of Paris issued edicts which had the effect of closing the Jesuit colleges, and although Louis XV. did not confirm the action of the lawyers until November, 1764, the order was practically defunct in France from the moment when the Paris Parlement declared against it. One of the documents in vol. lxx. is an account by François Watrin of the circumstances which attended the banishment from Louisiana. By a decree of July 9, 1763, the superior council of that colony condemned the Jesuits to an even worse punishment than they had received at home. Their slaves were sold at auction for the benefit of the King; the Capuchins received the sacred vessels and other church furniture which they had owned; their chapel became private property, and the new owner decided to pull it down. Watrin sadly describes its dismantled state. "The pictures had been taken away, the shelves of the altar had been thrown down, the linings of the ornaments had been given to negroes decried for their evil lives, and a large crucifix, which had stood above the altar, and the chandeliers, were found placed above a cupboard in a house whose reputation was not good. To see the marks of spoliation in the chapel, one might have thought that it was the enemies of the Catholic religion who had caused it." Such was one scene in the

departure of the Jesuits from a country upon which they had lavished so much energy and life.

—The other subject to which we referred above, namely, the French and Indian war, is illustrated in this series by a piece of great celebrity—Roubaud's contribution to the 'Lettres Édiifiantes.' Herein the massacre at Fort William Henry is described with all its frightful details. Roubaud has a poor reputation for personal honesty. After the fall of Quebec, he truckled to the English without gaining their confidence. However, his letter is a prime authority for the most devilish tragedy in all Indian warfare. The Abenakis, who belonged to the missionary's own flock, receive a certain amount of commendation because they were not cannibals! These volumes also contain several documents which are valuable for the social and economic history of New France in the last days of the Old Régime.

—After the brilliant stage success of "L'Aiglon," it seems almost superfluous to dwell on the undeniable dramatic qualities which captured an artfully stimulated public, eager for something less tawdry than the nightly spectacles that have so long

"tainted the stage for some small snip of gain."

The epic proportions of the Napoleonic story, set off by their contrast with the trivialities of court life and the fluttering impotence of a stripling, are still capable of holding audiences, even though these may not be exclusively French. It is not so much the pathetic conditions which life has imposed on the central personage as the constant suggestion of a mighty influence in the background, that gives to this drama its insistent theatrical effect. Add to this the vivid play of a multitude of clearly drawn characters, heightened by a skilful use of situations which escape from being too cheaply melodramatic by the very ingenuity and intensity of their presentation, and immediate triumph is secured. The tardy appearance of the play in book form (Brentano's) now gives the student leisure to note and study the principal grounds which may determine its claim to a permanent place in dramatic literature; for it seems hardly likely that, outside of France, *reprises* will be at all frequent. Setting aside, therefore, the construction of its plot, which suffers (particularly in the last two acts) from over-elaboration, we may be confident that "L'Aiglon" will yet live to be read for the enjoyment of its enduring historical interest, but still more because of the finish of its sustained poetical style. The technical handling of so painfully artificial a metre as the French Alexandrine here appears in its perfection, as shown in many quotable verses. We may note, as an example, the slow dragging effect of

"Les batailles sortaient en s'étirant les ailes,"

contrasted with the staccato movement in the speeches of *Flambeau* and the quarrel-scene of act III., sc. 3. The work itself continues and applies the dramatic traditions of France, rather than suggests a new orientation or heralds a new era; for this very reason, it appeals to all who still preserve the conception of the drama as a coherent development—not as a succession of hazardous experiments.

—Readers of Prof. F. W. Maitland's recent books will have observed how greatly he has been influenced by the great Berlin



jurist, Otto Gierke. He has now at once shown his sense of obligation to his master, and rendered a considerable service to English-speaking students of political theory, by disinterring the section on "Die publicistischen Lehren des Mittelalters" from the third volume of 'Das deutsche Genossenschaftsrecht,' and translating it into English ('Political Theories of the Middle Ages'; Cambridge [Eng.]: University Press; New York: Macmillan). He has added an Introduction written with all his accustomed learning and wit, which will do a good deal to render more intelligible to us conceptions hitherto very foreign to English and American lawyers and publicists. Dr. Gierke's theme is the history of the legal doctrine of Corporation, and in especial the advent of that theory of the corporation as a "fictitious person" which drove out, in his opinion, the older and truer German doctrine of Fellowship (*Genossenschaft*). But, as Mr. Maitland points out, the discussion concerns much more than a merely legal definition: it goes to the very roots of political theory. What is the State, what the People, what the Public; have they "wills," and how are they related to the individuals who compose them?—in fact, all the issues involved in "contractual" or "organic" theories of society—are among the questions which necessarily present themselves. Gierke's text and Maitland's comment cannot in future be overlooked by the historian of political thought; nor ought it to be overlooked by "a sociology emulous of the physical sciences."

## BOOKS ON ART.

*Eighteenth-Century Color-Prints: An Essay on Certain Stipple Engravers and their Work in Color.* Compiled, arranged, and written by Julia Frankau. With 51 pictures in monochrome and one in color. Macmillan. 1900.

*Anthony Van Dyck: An Historical Study of his Life and Works.* By Lionel Cust, F.S.A. London: George Bell & Sons; New York: Macmillan. 1900.

*Chefs-d'œuvre of the Exposition Universelle, Parts 6 and 7.* Philadelphia: George Barrie & Son.

*Modern Pen-Drawings, European and American.* Edited by Charles Holme. Special Winter Number of the *Studio*. 1900-1901.

*The Origins of Art: A Psychological and Sociological Inquiry.* By Yrjö Hirn, Lecturer on Æsthetic and Modern Literature at the University of Finland, Helsingfors. Macmillan. 1900.

*Considerations on Painting: Lectures given in the year 1893 at the Metropolitan Museum of New York by John La Farge.* Macmillan. 1901.

*Giorgione.* By Herbert Cook, M.A., F.S.A. London: George Bell & Sons; New York: Macmillan.

*Four Great Venetians: An Account of the Lives and Works of Giorgione, Titian, Tintoretto, and il Veronese.* By Frank Preston Stearns. Putnam's. 1901.

*Murillo: A Collection of Fifteen Pictures and a Portrait of the Painter, with introduction and interpretation by Estelle M. Hurl.* Boston: Houghton, Mifflin & Co. 1901.

The author of 'Eighteenth-Century Color-Prints' has saved the reviewer the trouble

of formulating a critical estimate of her work by doing it most frankly and admirably herself. "The subject of color-printing and its connection with stipple-engraving," she says, "needed for its proper elucidation an historian with a critical mind; and it has fallen into the hands of a mere collector with a taste for romance. Thus it is that certain stories have been told at too great length, certain facts, dates, and details have been dismissed with too little comment." To this there is little to add, except the excuse that, as the critical historian did not appear, the romantic collector had to do her best; and the comment that the gossipy lightness of Mrs. Frankau's style is not out of harmony with the somewhat frothy nature of the art she celebrates. There was much admirable painting produced in England in the eighteenth century, but little enough of it seems to have got itself translated by the stipple-engravers and color-printers. In the present volume, apart from two or three plates after Reynolds, the work is of the feebly pretty order associated with the names of Angelica Kauffmann and Bartolozzi—work which was vastly popular in its own day, and is now the object of what we think must prove a passing enthusiasm among collectors: work no more serious than the frivolous French illustrations of the period, and not a hundredth part so clever. Among Mrs. Frankau's "stories" the most interesting is that of Le Bon, who, though on a false route—as far as the evolution of the particular art under consideration is concerned—seems to have anticipated the scientific theories which underlie the color-printing of to-day. For his own time the fault of his process was that it needed a genius such as he seems to have been, to prepare the three plates from which the three primary colors were to be printed; to-day, photography has come in to do the work of the genius. The true eighteenth-century color-print was made at one impression from an ordinary stipple-engraved plate, and the printer needed only taste and plenty of time. The slowness of the process finally killed it.

In the edition before us, only one of the plates is printed in color, and how successful that one may be in its imitation of the original we cannot say, but it is certainly very pretty in a soft way. The more expensive edition, in which all the plates are colored, we have not seen. Two errors in the description of plates may be noted. There is a verse beneath pl. v., "Friendship," and none beneath pl. vi., "Contentment," which is the reverse of the statement in the text. Pl. xi. is called, in the text, "Lieut. George James Riddell," and the statement is made that "the writing engraver has distinguished himself on this plate by inscribing 'J. J. Riddell' instead of 'G. J. Riddell.'" As a matter of fact, the plate is inscribed "I. G. Riddell," and this form is followed in the list of illustrations.

Mr. Cust's 'Van Dyck,' like the book by Max Rooses, recently reviewed by us, is an outcome of the Antwerp exhibition of Van Dyck's works held in 1899. It is an even larger and more imposing volume than the other, and reproduces some sixty-odd pictures as against fifty, besides drawings and engravings not touched upon at all in the earlier publication. It does not confine itself to works exhibited at Antwerp, and is, therefore, in some respects, more repre-

sentative of the sum of Van Dyck's production. Many works are, however, given in both volumes, and the balance of successful reproduction inclines now to the one and now to the other—perhaps a little oftener towards M. Rooses's. Mr. Cust's 'Life' is much longer and fuller than M. Rooses's 'Sketch,' but makes no pretence of original authority, and is frankly a compilation, while, of course, it cannot take the place of M. Rooses's careful notes on particular pictures. Mr. Cust's volume contains an elaborate catalogue of Van Dyck's works, but its arrangement by subject, especially in the case of the portraits, detracts from its usefulness. Unless one remembers the name of the sitter, which is rarely the case, one has no clue as to where to look for any remembered picture.

Part 6 and a portion of Part 7 of the 'Chefs-d'œuvre of the Exposition Universelle' deal with the American section. In this publication the text is entirely subservient to the illustration, and the latter is far from satisfactory. The reproduction is fairly good, and some fine things are reproduced, notably St. Gaudens's 'Shaw Memorial,' but, on the whole, the selection of works is inadequate and disappointing. There may be, and probably are, very good reasons why this or that is omitted, but the final result is to give no conception of the recognized merit of the collection. In painting, for instance, no work is given by either of the recipients of the medals of honor, and only two works by any of the gold medallists are reproduced—one of them very small, and the other cut down and altered in shape.

The *Studio's* special winter number is a stout volume in paper covers containing a vast number of pen-drawings, mostly recent, of various provenance, many good, some indifferent, and none positively bad. The methods exemplified are very various, from the most purely decorative to the most realistic, and from the baldly simple style adapted to newspaper work to a delicacy of handling that must have made reproduction exceedingly difficult. Altogether, the young student of illustration will here find a bewildering variety of models for imitation. The text, by several hands, is of a perfunctory and uninteresting sort.

Very different from these books of pictures is Professor Hirn's volume, which has no pictures at all, and which scarcely deals with pictures, concerning itself, in so far as it touches upon concrete works of art, mainly with the songs, dances, and pantomimes of primitive peoples. It is impossible in this place for us to attempt more than a summary of Professor Hirn's conclusions. He divides his inquiry into two parts, the first being an effort to find what is the original "art impulse," the thing which leads men to care for and to produce art of any kind; and the second, an endeavor to trace the actual origin of several of the arts as apart from the general art impulse. He points out that no pure work of art has ever existed, and that the impulse towards art, whatever it be, has in each of the arts been combined with other needs and other impulses, and that therefore any historic examination into primitive art will not answer the question as to the art impulse itself, but that this inquiry must needs be purely theoretical. He then considers and dismisses as inadequate and not sufficiently universal such proposed causes of art activity as the instinct of imi-

tation, the desire of pleasing, and the play impulse, finally deciding that the only sufficiently universal instinct to account for art is the impulse to express emotion for the sake of communicating or enhancing it. This is, of course, the foundation of Tolstoy's theory; and Professor Hirn, like Tolstoy, seems to us to be in danger of error through too great neglect of the element of form, which Tolstoy altogether neglects and Hirn considers as of minor importance, while to us it seems of the essence of art. He is, however, saved from the extravagances of Tolstoy by the second part of his inquiry, where he shows that, while the impulse to expression seizes upon various material and makes it artistic by rendering it the vehicle of emotion, yet the material itself—the specific art rather than art in general—has always owed its origin to some other need of man's nature. "The Concrete Origins of Art" are discussed by the historical method in a series of chapters on "Art and Information," "Historical Art," "Animal Display," "Art and Sexual Selection," "The Origins of Self-Decoration," "Erotic Art," "Art and Work," "Art and War," and "Art and Magic," and we are shown how many purposes art subserves, and how many elements are and must be contained in the work of art other than the purely artistic one. Finally, the relation between theory and practice is happily stated in a concluding paragraph, which is in marked contrast to the deliverances of some other professors of aesthetics. "The author on his part," says Professor Hirn, "has thought that such investigation into an important and typical human energy must be of interest at least, if not of value. But upon the practical question it is his personal opinion that the loss would be greater than the gain if theories and judgments based upon philosophical considerations were allowed to influence either the production or the enjoyment of art." The book is learned, ingenious, and modest, and is marked by an excellence of English style quite astonishing in the work of a foreigner.

There is nothing new to say at this time of day about Mr. La Farge's 'Considerations on Painting.' The true feeling, the subtle and somewhat elusive thought, the lack of dogmatism and even of very definite statement, and the delightful style, which mark these lectures and have given them their abiding charm, are all well known, and we have nothing to add to the comments upon them that were made in these columns on the book's first appearance. It is encouraging to the lover of art and literature that a new edition should be called for.

In the preface to the latest of the "Great Masters" Series, Mr. Cook remarks: "Unlike most famous artists, Giorgione has not yet found a modern biographer. The whole trend of recent criticism has, in his case, been to destroy and not to fulfil. Yet signs are not wanting that the disintegrating process is at an end, and that we have reached the point where reconstruction may be attempted." One is inclined to wonder whether this is not true of art criticism in general, and whether this book may not mark the beginning of a reaction against the extreme school of destructive criticism. In the case of Giorgione, this criticism had gone so far that that artist seemed in danger of being snuffed out like a candle. As to his life, modern research had only shown that he had no right to the name of Barbarelli, and

that he died of the plague and not of heart-break; while of his works only three remained altogether uncontested. And yet, after all, such a man existed and attained a great reputation and must have painted some pictures. Was it not a *reductio ad absurdum* that criticism should have arrived at the assignment of some of the most beautiful and admittedly Giorgionesque pictures in existence to this or that imitator, named or guessed at, while the original artist was left with next to no baggage at all? Mr. Cook has proceeded on the basis of the probability that Giorgione must have produced more work than has ever been known by his name rather than less; that it is more probable, other things being equal, that a strongly Giorgionesque picture is by him than that it is not; and that he is more likely sometimes to have fallen below his best than were second-rate or unknown men to rise infinitely above theirs. On these considerations he restores to Giorgione many pictures which had been taken from him by one or another critic, and then proceeds to tip the balance the other way by ascribing to Giorgione certain other works which have been attributed to Titian and other artists, some of them ever since the time of Vasari. The result is at first a little startling, but it must be admitted that the author has generally a good, or at least a plausible, reason to assign for his transfers, and that they are all of pictures which have always been considered anomalous and strongly Giorgionesque, if not by Giorgione. One cannot deny a certain temerity in his judgments, but, on the whole, he is perhaps more nearly right than the extremists on the other side, and he certainly seems to have reconstructed a possible Giorgione with a conceivable chronology of works and evolution of style.

'Four Venetian Painters' is not so bad a book as the same author's 'Midsummer of Italian Art,' which we were obliged to review somewhat severely upon the appearance of its second edition last year, but it is marked by too much of the carelessness, not to say recklessness, of that volume to make it a safe or trustworthy authority on matters of fact, while the author's interpretation of the art and artists of Venice from the intellectual side does not seem to us sufficiently new or important to offset this weakness.

Miss Hurl's 'Murillo' is much like the other little books she has contributed to the "Riverside Art Series" and seems to call for no especial criticism.

#### RECENT ASTRONOMICAL WORKS.

*Elements of Astronomy.* By Simon Newcomb, Ph.D., LL.D. American Book Company. 1900.

*The Royal Observatory, Greenwich: A Glance at Its History and Work.* By E. Walter Maunder, F.R.A.S. London. 1900.

*Observations of Circumpolar Variables During the Years 1889-1899.* By Oliver C. Wendell. [Annals of the Astronomical Observatory of Harvard College, vol. xxxvii., part 1.] Cambridge. 1900.

Professor Newcomb has made an attractive little book of his 'Elements,' without, as he says, "making a very serious addition to the curriculum of the high school or college." So simple and elementary and with-

out detail is it that it can hardly be said to have any competitors at present in the field. But, although attractive, it has not the easy style and graceful lucidity of Professor Newcomb's 'Popular Astronomy,' his first astronomical work, now more than twenty years old; nor can the new 'Elements' be said to be strictly up to its date. In general, the illustrations are well chosen, helpful, and carefully executed; but it seems an unnecessary oversight of the artist to have drawn the spheres shaded as if mere disks. In the frontispiece, Jupiter and Venus are wrongly drawn; p. 102, the zodiacal light is an unfortunate failure; p. 128, no letters appear in the cut to correspond with the text; p. 164, the shadow of Jupiter's satellite is much too large; p. 181, the comet's orbit would be nearer the truth if it did not approach to coincidence with the sun's centre. These inaccuracies, however, of rather secondary importance, are not matched by any in the text worthy of note, except that (p. 99) recent determinations indicate a large correction to the old value of 1° F. rise of temperature in descending within the earth; (p. 102), the gegenscheln (why "near the zodiac"?) is by no means *exactly* opposite the sun; p. 160, the statement as to the size of the largest asteroids needs a large modification if the most recent measures of Ceres by Barnard are accepted. Printers' errors are but few; p. 191, *planeta* for *planetes*; p. 196,  $\xi$  Ursæ Majoris for  $\zeta$ . The nebular hypothesis, by no means difficult to make interesting to juvenile pupils, is dismissed with but the slenderest reference—eleven lines only. The solid facts of astronomical history, briefly related, are appropriately leavened by pictures of the six astronomers, from Copernicus to Herschel, whom every one would easily acknowledge to be the most famous; and the book concludes with a few very telling paragraphs on "astronomical work at the present time," all in Professor Newcomb's happiest vein.

Of double the size is Mr. Maunder's book on the Royal Observatory at Greenwich—a subject singularly neglected by writers of descriptive astronomy in the past. This excellent work is most appropriately devoid of all technicality of statement and expression, and its publishers (the Religious Tract Society of London) ought to be able to place it in hundreds of libraries, both here and in England. Its attractive features are exceptional—a frontispiece of Flamsteed, the first Astronomer Royal, reproduced from the portrait in his 'Historia Cœlestis,' and numerous illustrations from old prints and original photographs. These add a quaint flavor, which all scholarly readers will especially appreciate, thanking the painstaking author for the great trouble their collection must have cost him. Very satisfactory are the portraits of all the seven astronomers royal following Flamsteed, of whom the most famous are Halley, Bradley, and the late Sir George Airy. That of the Rev. Nathaniel Bliss, who succeeded Bradley, possesses a very curious interest, because of its reproduction from an engraving on an old pewter flagon. Bliss was also professor of astronomy at Oxford, and his periwig is arched round with this appropriate inscription, "This sure is Bliss, if Bliss on earth there be."

Mr. Maunder has done a worthy service in directing attention, as needs to be done over and over again, to the wholly wrong ideas



of people in general regarding this greatest of national astronomical institutions.

"Greenwich observatory was originally founded, and has been maintained to the present day, for a strictly practical purpose. . . . The astronomer has, perhaps, more than any man, to give the keenest attention to minute practical details. His life, on the one side, approximates to that of the engineer; on the other, to that of the accountant. The professional astronomer has hardly anything to do with the 'show places' of the sky. . . . As to discoveries, these lie no more within the scope of our national observatory than do geographical discoveries within that of the captain and officers of an ocean liner."

While the first and foremost province of the observatory is that of assistance to the royal navy and the merchant marine in the very practical and indispensable art of navigation, which Mr. Maunder explains with lucid brevity, nevertheless, all the more modern expansions of its field of work are abundantly and carefully dealt with, so that the lay reader gets a most excellent idea of the why and wherefore of official astronomy to-day. Exceptionally full of interest is Mr. Maunder's history of the founding of the observatory by Charles II. in 1675, and of the initiation by Flamsteed, when but twenty-nine, of its priceless observations of the heavenly bodies which have constituted the basis of exact modern astronomy. "In 1674 Flamsteed became more intimate with Newton, the occasion which led to this acquaintanceship being the amusing one that his assistance was asked by Newton, who had found himself unable to adjust a microscope, having forgotten its object-glass—not the only instance of the great mathematician's absent-mindedness." A strange spectacle, it seems to us—this servant of the Government, with a high-sounding official position, but with a salary "so insufficient that he naturally regarded himself as absolute owner of his own work," his chief source of income being his private pupils in mathematics and astronomy, no less than 140 in number. Interestingly related is the unpleasantness between Newton and Flamsteed growing out of the lunar observations which Newton demanded.

The successor of Flamsteed was Halley, who was so thoroughly acquainted with the heavens that "if a star were displaced in the globe he would presently find it out." He had a wide conception of the duties of his post, and spent nearly two years at St. Helena, making a catalogue of standard stars in the southern hemisphere of the sky. But for Halley, the 'Principia' of Newton might never have seen the light, and for this alone he has earned the highest claim to gratitude.

Passing over the gifted Bradley, third Astronomer Royal, and his brilliant discovery of aberration of the stars, Maskelyne, the fifth, and his foundation of the Nautical Almanac; Pond, the sixth, a born observer of the highest accuracy, we reach a comparatively recent date, and the strenuous administration of Sir George Airy. Appointed in 1835, he proposed almost at once the creation of the magnetic and meteorological department of the observatory; and this was followed in 1873 by the formation of the department of solar photography, and later by the addition of the spectroscope. Accurate evaluations of numerous longitudes occupied much of Airy's time, and his determination of the increase of gravity in descending deep mines was undertaken in the famous Harton

colliery, near South Shields. Also, he was confidential adviser of the Government in a vast number of subjects—lighthouses, railways, standard weights and measures, drainage and bridges. Airy's love of method and order was proverbial, and carried often to such extremes that his friend Dr. Morgan said that "if Airy wiped his pen on a piece of blotting paper, he would duly endorse it with the date and particulars of its use, and file it away among his papers." But a huge amount of work was accomplished in the forty-six years of his office, and he retired in 1881, at the age of eighty, full of honors from the most eminent societies of all nations.

Airy was succeeded by Mr. Christie, the present incumbent, who has still farther augmented the labors of the Observatory by adding two new departments and several new buildings, housing many of the most powerful instruments in England; indeed, three-quarters of the present Observatory has been added during the nineteen years of his incumbency. Roughly half of Mr. Maunder's able volume is devoted to these buildings, their elaborate arrangements, and to the clear description and ample illustration of the ceaseless researches going on in the different departments. All are treated and their work elucidated without error of statement, not to say with that mastery begotten of intimate acquaintance, and so entertainingly withal as to lead us to rank 'The Royal Observatory of Greenwich' high among the popular astronomical books of the year.

Professor Pickering has again increased the indebtedness of astronomers to his capable direction of the Harvard Observatory by publishing, as the first part of vol. xxxvii. of the 'Annals' of the Observatory, an eleven-year series of observations of the stars situate near the north pole of the heavens whose light is subject to fluctuations. They have been prepared for publication by Assistant Prof. Oliver C. Wendell, and the results of his discussion are graphically presented in a series of plates showing with great clearness and accuracy the curves that represent the well-marked variations. During the past six years, 1889 to 1894 inclusive, nearly all the observations were made by Professor Wendell and Mr. Reed; but during the four subsequent years the work was carried on by Mr. Seagrave, who courteously communicated his results to the Observatory, and later by Miss Cannon of the Observatory staff. The method of observation is known as that instituted by Argelander, and the stars were watched carefully, not only at their epochs of greatest brightness, but also at their feeblest as well. Besides this, the very decided additional advantage is that all the results have been compared with a uniform scale of brightness, viz., that of the well-known meridian photometer of Professor Pickering's invention. Many points of technical rather than general interest are brought into prominence by this timely monograph, which forms a most important addition to the literature of the circumpolar variable stars. A bibliography of these objects and of those of like nature in the entire sky is now in progress of preparation for later issue in *extenso* as a future volume of the 'Annals.'

*An Englishwoman's Love-Letters.* Doubleday, Page & Co. 1900.

The trick of anonymity, which is obviously necessary to give such compositions an air of verisimilitude, has scored, in the case of these 'Letters,' a striking success. The internal evidence, from the circumstantiality of place, family relations, ages and the like, has spurred the liveliness of conjecture, and secured an immortality of several months to a book that, on its bare merits, might have fallen flat. This is the sort of *succès de mystère* that, a few years since, fell to 'Amitié Amoureuse'—with a difference. That was a really clever set of letters, in which the reluctant transitions from friendship to love and back again to friendship were handled with sincerity and passion. The French writer let herself go, whereas the Englishwoman of these 'Letters,' with their profuse quotations, their elaborate metaphors, their academic discussions, only puts off the *Précieuse* on her deathbed.

Mrs. Meynell is credited by gossips with their authorship—falsely, according to the *Academy*. The scene is certainly laid in her favorite Wales; and, the writer having used the same prescription as Mrs. Meynell for the composition and mixing of her metaphor, "sows them with the whole sack" in the style of the 'Colour of Life.' The fiancé, a young Oxonian aged twenty-one, complains at the ninth letter that the lady's metaphors make him giddy. This is her reply:

"Your curses simply fly back to roost. Where do you pigeon-hole them? In a pie? (I mean to write now until I have made you as giddy as a dancing Dervish!) Your letters are much more like blackbirds; and I have a pie of them here, twenty-four at least; and when I open it they sing 'Chewee, Chewee, Chewee' in the most scared way." And again: "There's a foot gone over my grave. The angel of the resurrection with his mouth pursed fast to his trumpet!—nothing else than the gallop-a-gallop of your horse—it sounds like a kettle boiling over!"

Is this the language of passion in English county families of the present period? His eyes are "cupboards of vision," her heart is "a tree in the wind," her happiness is "a watchman on the lookout"; her coachman touches his hat "to show that the news brimmed in his body"; her sorrow is "a kite that I pull with my heart-strings." Will any reader believe that an Englishwoman aged twenty-two writes to her lover in the following strain: "To the sun of love the clouds that cover absence must look like white flowers in the green fields of earth, or like doves hovering; and he reaches down and strokes them with his warm beams, making all their feathers like gold?"

This was certainly a very unusual young woman, too rare and too precious for an ordinary young man, who, as we gather, wore a gray suit, shot rabbits, went to Oxford, and must read one of these letters every day, though he had ridden the seven miles that sundered the pair in the desperate hope of evading it. "With all its blushes stale, it is rouged up again and sent off the moment your back is turned. No, better! is slipped into your pocket, and carried home to yourself by yourself!" On a foreign tour, she treats him to descriptions of "divine crumbs of Gozzoli," of "street architecture whose effect is of an iron hand which gives you a buffet in

the face," and to countless precosities that must have paralyzed his young brain, to say nothing of his heart. When finally, without a word of explanation, he has broken the engagement, her literary style greatly improves, and there is sincere pathos in the last series of letters destined for his eye only after her death. His conduct, which may seem natural enough to the cynic, is another of the mysteries that have helped to float the book. We doubt whether the author had evolved in her own mind a motive sufficiently strong to excuse this youth, whom the preface makes out to be *sans reproche*, from riding over for the last time to give a word of consolation to the woman who was dying of his desertion.

The general tone of the letters is far too sophisticated, too blasé, even for the modern young woman of twenty-two. We have, throughout, the point of view of a woman of mature years, for whom, as for Mrs. Brown, love-letters and the art of love-making are an experiment of later life. Finally, it is incredible that a woman of any age should, in the first days of her engagement, indulge in the plain-spokenness of p. 42.

*Richelieu and the Growth of the French Power.* By James Breck Perkins, LL.D. G. P. Putnam's Sons. 1900.

This is a volume in the "Heroes of the Nations" series, and therefore does not come into comparison with such detailed studies of Richelieu as the works of M. Hanotaux and the Vicomte Georges d'Avenel. Mr. Perkins apparently regrets that the scheme of the series prevents him from using footnotes for the citation of authorities, but we shall not question his statement that "the present work is based upon an examination of original sources of information." His previous writings on France in the seventeenth and eighteenth centuries have made it unnecessary for him to establish the credit of a popular sketch by giving the page of every memoir from which he quotes. Most of the anecdotes with which the book abounds are taken directly from their first setting, and it is no part of Mr. Perkins's design to meddle with moot questions of administration or diplomacy. Yet we have noticed a cautiousness of temper which may spring from inability to cite the exact evidence. Thus, apropos of Saint-Simon's part in the Day of Dupes, Mr. Perkins observes: "*It is said that Louis's favourite, Saint-Simon, . . . advised him to send for the Cardinal.*" And later, when speaking of Father Joseph's part in the Diet of Regensburg, he says: "Father Joseph attended the council where this was decided upon, and *it is said* his insidious advice had much to do with Wallenstein's dismissal." The same anxiety to be on the safe side appears in other places, and illustrates an unwillingness to set down what is not well ascertained. However, Mr. Perkins is a little careless when giving the modern equivalent of the livre. For instance, p. 221, he calls five hundred thousand livres the equivalent of "half a million dollars in our day." But on p. 244 he writes: "We find one teacher receiving sixty livres, or twelve dollars, a year."

Mr. Perkins keeps close to the Cardinal's character, and is not drawn off into writ-

ing the history of France during his age. This is well, but we think he might have given a fuller account of French diplomacy, since so much of Richelieu's success came from clever combinations. He hardly touches on the Valtelline question, the War of the Mantuan Succession, and the part of France in the Diet of Regensburg, while subjects like the negotiation of the treaty of Altmarm and Charnacé's subsequent efforts at Stockholm are altogether omitted. We quite understand Mr. Perkins's motive in keeping these foreign complications out of sight, but the skill of Richelieu in securing allies and playing off enemies against each other was so great that it deserves considerable prominence.

The political element, though by no means eliminated, is held in subjection to the personal, and this arrangement leads Mr. Perkins to criticise certain follies which the political biographer might easily pass over. Nor does he praise the fruits of Richelieu's public policy without reserve. M. Ernest Denis, in speaking of the European situation at the Peace of Westphalia, says: "Comme à l'époque capétienne, comme à la Révolution, la gloire de la France coïncidait avec un progrès sensible de l'humanité." Any glory which France gained at Westphalia she owed to Richelieu, and he must, therefore, according to the idea of M. Denis, have done something for humanity. Mr. Perkins's encomium is more moderate, as may be seen from his closing sentence. "It is doubtful whether the French people were any happier at the end of Richelieu's administration than at its beginning, but, beyond question, France was a more powerful state." The military successes of the Cardinal's closing years do not blind Mr. Perkins to the misery which the nation suffered under his very inadequate scheme of domestic government. Furthermore, we know from "France under Louis XV." what our author thinks of the way in which the power of the Crown was utilized one hundred years after Richelieu's death.

The strong traits of Richelieu's personality are so well understood that no writer can do more than place them in relief. His shortcomings are less clearly understood. The severity with which he punished plotters should not be remembered against him, but Mr. Perkins also recalls the unedifying aspect of his disposition—his love of display, the intensity of his pride, and his craving for literary fame when he possessed no real talent. We omit avarice from the list, for, although Richelieu became rich during his term of power, Mr. Perkins, measuring him by the standard of Mazarin, Fouquet, Louvois, and Choiseul, finds him comparatively clean in his methods. On the other hand, he can sound a note of optimism when comparing Richelieu with the modern premier: "If Richelieu used his power to accumulate wealth, he should be judged by the standard of his age, but it is pleasant to believe that in our day so great a statesman would be content with fame as the reward for his labors; even if the desire for gain is equally strong, the force of opinion now restrains most public men from becoming rich at the public expense."

Mr. Perkins has not forgotten the nature of his audience and permitted his pages to become dull. His style is very direct and anecdotal.

*John Brown.* By William Elsey Connelley. Topeka, Kansas: Crane & Co. 1900.

This book cannot fail to be a great disappointment to those who have so long hoped against hope for a clear, impartial, and critical history of John Brown. The author is at least the seventh biographer of his hero, having been preceded by Redpath, Webb, Sanborn, Von Holst, Hinton, and Chamberlain, besides Victor Hugo and other European commentators. When we consider that two of these biographies include respectively 752 and 645 pages, it is evident that mere quantity of matter is no longer the main desideratum in Brown memoirs, especially when, as in the present case, a large part of the book consists of long quotations from predecessors. The author would seem to have every advantage of position, being a resident of Topeka and a director of the Kansas State Historical Society, whose collections are celebrated throughout the Union for their copiousness and value. He is announced as being about to edit, with Col. J. H. Hinton, a volume of "John Brown Papers," based largely on these collections. Hence he could hardly publish anything on the subject without giving some later information or correcting some errors of detail. Such meritorious passages, however, occur but rarely in the present volume, so far as our observation has extended; and the predominant impression made by it is not only that of a profuse and verbose style, but of an entire absence of that historic calmness and justice which is now the first desideratum in any Kansas writer. Its whole tone, in short, is that of 1856 instead of 1900.

An obvious illustration of this tone can easily be given. In all civil-war or even mere border warfare there are pretty sure to be made, on each side, bitter charges of personal assaults committed by the other side upon women. These rumors usually dwindle very much on later investigation, at least among English-speaking races, and often disappear entirely. Our civil war, for instance, was remarkable for almost complete absence of such outrages. In Kansas such rumors abounded, and were made as freely against Lane's Rough Riders as against the "border-ruffians." Mr. John Spear, President of the Kansas State Historical Society, takes especial pains to acquit Lane of all such charges (Kansas Hist. Coll. vi., 305); and he attributes even to Missourians only rudeness of speech, but not personal violence. Nor is any reference made to any such charge by Mr. Noble L. Prentiss in his historic address on the "Women of Kansas" at the quarter-centennial celebration in 1886, where it could scarcely have been omitted had such atrocities been still recognized as facts. Now comes Mr. Connelley, writing at the very end of the century, and lavishly revives the old charges nearly fifty years after their alleged occurrence. He talks of "hundreds of well-authenticated accounts of the cruelties practised by this horde of ruffians, some of them too shocking and disgusting to relate or to be accredited if told" (p. 157). Why does he not, then, at least give the reader accredited facts in regard to some of the milder ones? On looking for his authorities, we find absolutely none alleged, except a single writer, John H. Gihon (pp. 175-6), who himself names but a single instance, and that without citing authorities, of what he defines only vaguely



as "savage brutality" (Gihon, p. 98). But even this book was written as long ago as 1857, at the very height of the Kansas excitement, was published originally with the title, 'Gov. Geary's Administration in Kansas, with a Complete History of the Territory until July, 1857,' and was reissued a little later, with a new title-page, but otherwise unaltered, as 'Gihon's History of Kansas.' It was, in fact, little more than a partisan pamphlet, issued by a former secretary of Gov. Geary. Surely, it is a sufficient condemnation of Mr. Connelley's standard of historical research that, with the whole resources of the State Historical Society to draw upon, he has to go back nearly half a century to such a production, multiplies Gihon's one alleged instance into multitudes, and leaves the matter there. For what, then, does the Historical Society exist if not to provide material to supersede the hastily written and vehement materials of the "Border Ruffian" period? Will the time never come to treat the history of Kansas like that of any other State, according to modern historical methods? What with Professor Spring on the one side and Mr. Connelley on the other, we seem as far as ever from that desirable consummation.

*Surveys, Historic and Economic.* By W. J. Ashley. Longmans, Green & Co. 1900.

This collection of essays and reviews will be appreciated by students of economic history, if not by the general, to whom the technicalities of its scholarship may make it caviare. With few exceptions, all these papers have been printed in different reviews and journals during the last eleven years, several of the book-reviews having appeared in our columns. When five and forty essays are collected in one volume, it is not easy to characterize it as a whole; but those familiar with Professor Ashley's work do not need to be told that it is scholarly, and that his style is polished without being labored. Disregarding the shorter papers, the author suggests that the others fall into several groups. Two of the longest deal with the economic relations between England and her American colonies between 1660 and 1760, and explain the nature of the colonial trade during that period. In the same general direction are the papers on the history of economic opinion, in one of which the origin of the policy of free trade is attributed to the Tories. The most elaborate and the most technical of the other essays are classed as "Mediæval Agrarian" and "Mediæval Urban." Along these lines the fighting has been hard, and Professor Ashley is in the foremost of the fray; but the controversy is too purely archæological to

be of general interest. It is proper to state, however, that Professor Ashley maintains that social evolution cannot be understood by those holding incorrect views of mediæval land-tenure and the extent of serfdom.

Throughout these essays, and those on British colonial policy, the author frankly expresses his protectionist theories. He has, he scarcely needs to tell us, "a penchant for things mediæval," and likes to persuade himself that the virtuous professions of the guilds which the supporters of the "American" system of tariffs repeat, with their tongues in their cheeks, were sincere. He thinks the Prussian bureaucracy "one of the noblest creations in the history of civilization"—an opinion which seems to need revision in the light of recent disclosures in Berlin. To American readers, the argument that the colonies were really benefited by the British laws regulating their trade and manufactures is the most interesting matter in the book; and it seems to be, from the protectionist point of view, conclusive. It is a cardinal point in this doctrine that the true way in which to "build up" the industries of a country is for its rulers to undertake their direction; and the contention that the British colonial policy was not only benevolent, but also beneficent, is no more paradoxical than many claims that are generally accepted to-day.

*Through the Yukon Gold Diggings: A Narrative of Personal Travel.* By Josiah Edward Spurr. Boston: Eastern Publishing Co. 1900.

This entertainingly written book of nearly 300 pages, by a member of the United States Geological Survey, author also of an exact report on the "Geology of the Yukon Gold District," while it deals with the region that was broadly involved in the gold excitement of 1896-97, can hardly be considered to be a contribution to Klondike literature. It virtually ignores in its entirety the particular territory that became world-famous for gold-producing, and leaves unwritten the "camp" that was at once the picture and spirit of the new enterprise of the north. At the time of Mr. Spurr's journey down the Yukon, "a village of probably two hundred Indians, but no white men," occupied the site of the present Dawson, with its eight or ten thousand inhabitants. "The Indians were living in log-cabins; on the shore, numbers of narrow and shallow birch canoes were drawn up, very graceful and delicate in shape, and marvellously light, weighing only about thirty pounds, but very difficult for any one but an Indian to manœuvre." This is practically the full portrait that is

presented of the Klondike region, except for the statement touching the Klondike River, that, "on account of the large number of salmon who turn aside to enter the stream here, the Indians called it Thron-duc, or fish-water."

The chapters treating of the gold diggings on the American side of the "boundary"—those of "Forty Mile," "Birch Creek," and "Mynook"—contribute nothing to our knowledge of the tract in which they are situated, nor do they enlighten the reader on the general subject of gold-mining. The author, in the preparation of his work, appears to have determined to eliminate as far as possible all presentation of consequential facts, and to confine himself to a narrative of reminiscent experiences. These, as related, are hardly numerous enough or sufficiently exciting even for a booklet, and it is to Mr. Spurr's credit that he has not enlarged upon them to the extent of making them look big or important.

#### BOOKS OF THE WEEK.

- Bates, S. A. *Genealogy of the Descendants of Elder Edward Bates of Weymouth, South Braintree (Mass.):* Frank A. Bates. \$1.25.  
 Beyer, W. F., and Keydel, O. F. *Deeds of Valor: Personal Reminiscences and Records of Officers and Privates who were Awarded the Congressional Medal of Honor.* 4 parts. Detroit: The Ferrien-Keydel Pub. Co. \$1.  
 Cheyne, T. K., and Black, J. S. *Encyclopædia Biblica.* Vol. II. Macmillan. \$5.  
 Congdon, E. A. *Laboratory Instructions in General Chemistry.* Philadelphia: P. Blakiston's Son & Co.  
 Cook, Grace Louise. *Wellesley Stories.* Boston: Richard G. Badger & Co. \$1.50.  
 Dickens, Charles. *The Authentic Edition:* (1) *The Pickwick Papers;* (2) *A Tale of Two Cities;* (3) *Martin Chuzzlewit;* (4) *Oliver Twist;* (5) *Nicholas Nickleby;* (6) *The Old Curiosity Shop;* (7) *Christmas Books.* London: Chapman & Hall; New York: Scribners. \$1.50 per vol.  
 Duckworth, Lawrence. *An Epitome of the Law relating to Charter-Parties and Bills of Lading.* London: Effingham Wilson.  
 Epanchin, Colonel. *Operations of General Gurko's Advance Guard in 1877.* [Wolsley Series.] London: Kegan Paul, Trench, Trübner & Co.; New York: Scribners. \$3.50.  
 Grant, A. J. *The French Monarchy (1483-1789).* 2 vols. [Cambridge Historical Series.] London: C. J. Clay & Sons; New York: Macmillan. \$2.25.  
 Harper's Official Golf Guide, 1901. Harpers.  
 Journal of Social Science, Containing the Proceedings of the American Association, No. 38. American Social Science Association.  
 Lea, H. C. *The Moriscos of Spain: Their Conversion and Expulsion.* Philadelphia: Lea Bros.  
 Livre d'Or du Congrès d'Alcalá de Hénarès. Dossimétrique, 1900. Paris: Institut Dossimétrique.  
 Pearson, Karl. *National Life from the Standpoint of Science.* London: Adam & Charles Black; New York: Macmillan. 80 cents.  
 Porter, W. T. *An Introduction to Physiology.* Cambridge (Mass.): University Press.  
 Ruyton, N. P. *A Quaker Scout.* Abbey Press. \$1.25.  
 Sanborn, Frances F. *About Dante and his "Beloved Florence."* San Francisco: The Whitaker & Ray Co.  
 Short-Story Masterpieces (by a number of authors). First series. Chicago: Jamieson-Higgins Co.  
 Shuckburgh, Evelyn S. *The Letters of Cicero.* Vol. 4. London: George Bell & Sons; New York: Macmillan. \$1.50.  
 Spoil of the North Wind. Chicago: Blue Sky Press.  
 Thorpe, F. N. *The Constitutional History of the United States.* 3 vols. Chicago: Callaghan & Co. \$7.50.  
 Weale, W. H. J. *Haas Memling.* [Great Masters in Painting and Sculpture.] London: George Bell & Sons; New York: Macmillan. \$1.75.  
 Wilkins, Theoda and Bertha S. *Moral Culture as a Science.* San Francisco: The Whitaker & Ray Co. \$1.

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